

Fair Labor Association: Independent External Factory Assessment

Assessment Date :

02 Aug 2021



Factory Information

FLA Affiliates	prAna
Country	India
Number of Workers	509

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)	5
Employment Relationship (ER)	19
Freedom of Association & Collective Bargaining	1
Freedom Of Association And Collective Bargaining (FOA)	2
Harassment Or Abuse (H/A)	1
Health, Safety And Environment (HSE)	22
Hours Of Work (HOW)	2

Assessment Information

Assessor	Insync
Assessment Date	02 Aug 2021
Assessment Purpose	Factory Assessment (In-Person)

ASSESSMENT RESULTS

Compensation (C)

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	1. Grievances reported to supervisors are not documented and therefore assessors could not verify action taken. Workers interviewed confirmed that their grievances were addressed. 2. There are no formally defined steps to report grievances regarding wage payments and benefits.
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	<p>1. Records for the payment of terminal dues for outsourced production workers and security guards employed by contractors (a total of 23 % of the workforce) were not available for review. Hence the accuracy of calculation and timely payments for these workers could not be verified. Management stated that records for these workers are maintained with the respective contractors and the factory does not monitor such payments. 2. For workers on factory payrolls, the resignation letter was not available on file for 2 out of 6 sampled workers who left employment. Therefore the accuracy of the calculation of dues could not be verified. 3. For workers who use transport provided by factory, the cost of transport is deducted every month from wages, irrespective of the number of days the transport is used. There is no defined criteria for this deduction based on usage of the transportation.</p>
Recommendation for Immediate Action	<p>1. The factory should monitor and ensure accurate and timely payment of terminal dues for outsourced workers employed through contractors 2. The factory must ensure complete documentation regarding termination of employment at all times. 3. Factory needs to have a defined criteria for deduction of cost of transport depending upon usage of facility by workers.</p>
Compliance Classifications	Immediate Action Required
Local Law	<p>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.</p>

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	The review of pay records for 6 sampled workers who resigned revealed a delay in the payment of wages for unused leave as part of terminal dues by 5 to 17 days.
Recommendation for Immediate Action	The factory should pay wages for unused leave as part of terminal dues 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 a payslip for annual bonuses.
Recommendation for Immediate Action	

Compliance Classifications	Sustainable Improvement Required
Local Law	
Benchmark ID	C.10
Benchmark Details	Workers shall be informed, orally and in writing, in language(s) spoken by workers about overtime wage rates prior to undertaking overtime.
Finding Details	Information on overtime wage rates was provided during orientation, however, calculations are not documented in the appointment letter which contains information on terms of employment.
Recommendation for Immediate Action	
Compliance Classifications	Sustainable Improvement Required
Local Law	

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	Grievances reported are not recorded. A review of the log of minutes of meetings of grievance committees conducted in 2019 and 2020 revealed repeated concerns with the cleanliness of washrooms, request to increase water points in the washrooms, nonfunctional lights on staircases, congested canteen areas, and PPEs not being used by food handlers.

Recommendation for Immediate Action	
Compliance Classifications	Sustainable Improvement Required
Local Law	
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	Appointment letters in English and local language are filed in the individual files of workers. Although management stated that workers are provided with appointment letters, none of the workers interviewed confirmed receiving their appointment letters.
Recommendation for Immediate Action	
Compliance Classifications	Sustainable Improvement 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	The factory provided training on FLA's COC, however, ongoing training is not provided. In the past 12 months, training was conducted for 40 out of 1310 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 factory conducts training on the workplace disciplinary system twice a year and so far 15 out of 75 (managers and supervisors) have been trained in the past 12 months.
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	The factory provided training on customer's code of conduct to 23 out of 75 managers and supervisors in the past 12 months.
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. The factory does not have written procedures on grievance systems. 2. The formation and functioning of the grievance committee do not comply with legally defined guidelines. The chairperson in the grievance committee is not identified and rotated each alternate years between management and worker representatives. In 2020, there was no representation from management in the committee.
Recommendation for Immediate Action	
Compliance Classifications	Sustainable Improvement Required
Local Law	Industrial Disputes Act 1947- Section 9C (2) : Setting up of Grievance Redressal Machinery- The Grievance Redressal Committee shall consist of equal number of members from the employer and the workmen. 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.17.6

Benchmark Details	Employers shall have a system in place to prevent retaliation against or discrimination towards workers who are filing grievances, including grievances regarding harassment, abuse, violations of factory procedures, compensation, or unsafe working conditions
Finding Details	The factory does not have a system in place to prevent retaliation or discrimination against workers who are filing grievances regarding harassment, abuse, violations of factory procedures, compensation, or unsafe working conditions.
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/retranchment, taking into account national legal requirements.
Finding Details	In the past 12 months, the factory provided Covid specific training for 44 out of 75 supervisors and managers.
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. The written policies and procedures on recruitment and hiring do not include that documentation should be maintained and the name of the responsible person. Steps to be followed for Recruitment and Hiring are mixed up and lack clarity. e.g Step 1 states "application blank", Step 8 states "Employee test" after step 7 which states "final selection." 2. The written procedures do not include information on the orientation program. 3. The factory does not have written procedures on nondiscrimination, forced labor, and child labor, termination and retrenchment, and compensation and benefits. The procedures related to child labor state that responsible staff is given training on forced labor and that the factory will not employ workers below 18 years.
Recommendation for Immediate Action	
Compliance Classifications	Sustainable Improvement Required
Local Law	
Benchmark ID	ER.17.3
Benchmark Details	Employers shall have in place written procedures that allow a direct settlement of the grievance by the worker and the immediate supervisor. Where this is inappropriate or has failed, there should be additional options for senior management review and consideration, depending on the nature of the grievance and the structure and size of the enterprise.
Finding Details	Grievances are reported to union members and the settlement of the grievance does not involve supervisors. Union members refer the grievances to factory management.

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	1. Verbal warnings are not documented. 2. There is no female security guard in the factory.
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 at all.
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 reviews. 2. Vacancies in production processes based on skill requirements for jobs are communicated to the HR department by the Production department. Vacancies are notified to all 3 trade unions for recommendations from the existing workforce. 3. The performance of short-listed workers is evaluated and based on verbal feedback from supervisors and workers are promoted with increments in wages. Promotion (change in the designation) is communicated to workers through written letters, however, information on wage increment related to promotion is not included in the letter. Workers are informed verbally on any increases in wages. Letters to communicate annual increments based on CBA are provided to all workers.
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. The factory does not have written policies and procedures on promotion, demotion, and job reassignments. 2. The criteria for recommendations from unions for promotion of workers is not defined and communicated to workers. Evaluation results are not documented and discussed with workers, therefore it cannot be verified that the process followed is 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 FLA Code is not made available in the factory. The Code of conduct of customers is posted in the factory. 2. In the past 12 months, the factory provided 510 out of 1310 workers with Covid specific training.
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 appointment letter signed by security guards that is provided by the service provider does not include the updated percentage of Employee's contribution from wages to the legally mandated benefit of Employees state insurance. This percentage was revised in 2019. The letter includes the name of the security guard but not his address. 2. Workers signed to acknowledge receipt of the letter of increments applied to wages. Signatures of most workers on increment letters were not matching with their signatures seen on other employment documents filed in the individual files of workers.
Recommendation for Immediate Action	
Compliance Classifications	Sustainable Improvement Required
Local Law	According to Notification issued by Ministry of labor and employment dated 13th June 2019 {GSR 423(E)}- Employees State Insurance Scheme - Employer contribution would be 3.25 % of wages earned by employee and employees' contribution would be 0.75% of wages earned with effect from July 1, 2019.
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	Workers are employed on continuous basis with no period fixed.
Recommendation for Immediate Action	
Compliance Classifications	

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	The factory has a written policy for annual review of all written policies and procedures, however, the factory does not implement it in practice.
Recommendation for Immediate Action	
Compliance Classifications	Sustainable Improvement 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 a written document that substantiates all the topics covered in orientation.
Recommendation for Immediate Action	
Compliance Classifications	Sustainable Improvement Required
Local Law	
Freedom of Association & Collective Bargaining	
Benchmark ID	FOA.19.3

Benchmark Details	Where a union exists in the workplace, employers shall make available a copy of the collective bargaining agreement to all workers and other interested parties.
Finding Details	The agreement signed between unions and factory is in English and not in the local language (Bengali).
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	
Benchmark ID	FOA.15

Benchmark Details	Worker representatives shall have the facilities necessary for the proper exercise of their functions, including access to workplaces and office space where required by law.
Finding Details	The factory does not provide a specific office area for worker representatives. Meetings between workers and their union representatives are conducted in dining areas and meetings with factory management are conducted in the office meeting rooms.
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. The Internal Complaints Committee does not have any male representatives and the committee does not sensitize workers on harassment at workplace. 2. Penal consequences of harassment of women at workplace is not posted in the factory.
Recommendation for Immediate Action	1. It is recommended to have male representatives in the Internal Complaints Committee. The factory should make efforts to sensitize workers on harassment at workplace. 2. Post Penal consequences of harassment of women at workplace in the factory.
Compliance Classifications	Immediate Action Required

Local Law	1. Sexual Harassment of women at workplace (prevention, prohibition & redressal) act 2013- Section 4: At least one half of the total members so nominated shall be women. 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. 3. 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.
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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 on all aspects regarding health and safety, currently there are only written procedures for fire safety and chemical management. 2. Environmental procedures are not complete (including environmental emergencies, wastewater, air emissions, solid and hazardous waste, chemical tanks). 3. Health and safety procedures are incomplete and do not include procedures for evacuating special categories of workers like pregnant, disabled workers, monitoring assembly of workers in assembly areas, ensuring machine guards, procedures for providing and replacing damaged PPE, etc
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. Though "No Smoking" signs are posted in all work areas and near toilets, workers were smoking in toilets near the Printing section located inside the production building. 2. Assembly areas are designated, however, they are not maintained clear at all times. Cars are parked in assembly areas restricting the use of the complete space. From pictures of evacuation drills conducted, it was noted that workers had assembled around cars parked in the assembly area.
Recommendation for Immediate Action	1. Monitor and ensure workers do not smoke in No-Smoking areas. 2. Designated assembly areas should be maintained clear at all times.
Compliance Classifications	Immediate Action Required
Local Law	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. 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.
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 an assessment of drills 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	<p>1. Access to passages for sewing machine operators from work stations in sewing sections is blocked by boxes used to store garments. 2. Aisles in the sewing section on the ground floor of Building 2 were partially blocked with garment bags and workers sitting on aisles while working. Two out of four aisles were completely blocked with work stations placed on aisles. 3. Movement on two out of three aisles in the cutting section is restricted with pillars on the aisles. 4. Access to passage for fabric checkers is partially restricted with fabric bundles placed on the floor in front of checking machines. Electric chords connecting hand-held cutting machines with power sources are lying loose on the floor close to the feet of workers. This may obstruct easy and quick evacuation and cause injury due to accidental trip fall. Support frame from fabric layer extends onto the aisles along with layering tables in cutting section, obstructing free movement. A few instances were noted where two sewing machine operators were sitting adjacent to each other on two separate wooden stools facing the opposite directions. This arrangement would restrict quick and easy evacuation in case of an emergency. Packed waste material was stored on staircases in Building 1 and partially blocking the staircases.</p>
Recommendation for Immediate Action	Monitor and ensure access to passages, aisles, and evacuation routes and exits are maintained clear at all times.
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.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. A large quantity of debris (construction material) was kept along the periphery of the factory adjacent to the main gate of the factory. 2. Bathrooms were found unclean and has stains from chewing tobacco on walls. A hand drying facility is not provided in all toilets. In some toilets, cloth towels are provided which may not be hygienic and safe to use especially during the pandemic. 3. The kitchen is not clean. Wood is used as fuel which emits smoke and walls are covered with soot from the smoke. Also, the kitchen and raw material storage areas are poorly lit and not well ventilated.
Recommendation for Immediate Action	1. Excess debris should be removed periodically. 2. Bathrooms should be maintained clean at all times. Hygienic hand drying facilities should be provided. 3. Kitchen in the canteen 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 are 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. Factories Act, 1948- Section 46(1): The state government may make rules requiring that in any specified factory wherein more than two hundred and fifty workers are ordinarily employed, a canteen or canteens shall be provided and maintained by the occupier for the use of the workers.
Benchmark ID	HSE.22.1

Benchmark Details	All food made available to workers shall be prepared, stored, and served in a safe and sanitary manner in accordance with all applicable laws and international standards.
Finding Details	Food handlers do not use hand gloves.
Recommendation for Immediate Action	Provide and educate food handlers with the use of hand gloves.
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.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	The factory has not conducted an assessment of thermal comfort.
Recommendation for Immediate Action	
Compliance Classifications	Sustainable Improvement Required
Local Law	
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 walkways are not marked inside the factory. 2. Eyeshields on most overlock machines and needle guards on some sewing machines are pushed upwards and not used by machine operators. 3. Lid locking arrangement is not installed on the only hydro extractor to prevent workers from opening the lid until drums stop rotating. 4. Lock out- Tag-out arrangement is not used. Management is not aware of this arrangement.
Recommendation for Immediate Action	1. Mark traffic lanes and walkways inside the factory. 2. Educate and monitor the use of eye shields on over-lock machines and needle guards on sewing machines by machine operators. 3. Install lid-locking arrangement on 01 of 01 hydro extractors to prevent workers from opening the lid until drums stops rotating. 4. Provide and use Lock out- Tag-out arrangement for electrical safety.
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 tohealth. Factories Act, 1948- Section 24 (3)- When a device, which can inadvertently shift from "off" to "on" position, is provided in a factory to cut off power, arrangements shall be provided for locking the device in safe position to prevent accidental starting of the transmission machinery or other machines to which the device is fitted.
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	Hand gloves, eye wash cups, and lotion, and wood splints are missing in first aid kits.
Recommendation for Immediate Action	Provide hand gloves, eye wash cups, and lotion and wood splints in first aid kits.

Compliance Classifications	Immediate Action Required
Local Law	Factories Act 1948- Section 45 (1): There shall in every factory be provided and maintained so as to be readily accessible during all working hours first-aid boxes or cupboards equipped with the prescribed contents.
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. From visual inspection, it was noted that fire safety standards like maintaining clear passages were not maintained in all work areas. The factory has conducted a risk assessment internally, however, it does not provide information on the number of workers impacted, engineering controls, and responsible workers who manage the risk.</p> <p>2. Sanitary pads are not provided in the factory for use by female workers. 3. Pictures from training indicated that social distancing was not followed. Work areas are crowded. Arrangements regarding Covid-19 precautions are not maintained in factory-provided transport. Social distancing in dining areas is not ensured. The factory does not monitor the use of personal items.</p>
Recommendation for Immediate Action	<p>1. Factory should ensure that passages are maintained clear at all times. 2. Sanitary pads should be provided in the factory for use by female workers. 3. Covid 19 precautions should be implemented in practice.</p>
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. 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.</p>
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	Safety instructions are not provided to contractors who visit the factory for maintenance work.
Recommendation for Immediate Action	
Compliance Classifications	Sustainable Improvement Required
Local Law	
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.
Finding Details	Safety instructions are not displayed near machinery.
Recommendation for Immediate Action	Display safety instructions near machinery.

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.29
Benchmark Details	Employers shall provide all necessary protection for workers when working at heights, confined spaces, and other high-risk areas.
Finding Details	The entry point for the confined space (underground water tank) has a cover kept closed and painted in red, however, warning signs are not posted near confined spaces (underground and overhead water tanks located in the rooftop of the buildings). The factory does have written procedures for entering confined spaces.
Recommendation for Immediate Action	1. Post warning signs near confined spaces to alert workers. 2. Have written procedures for working in 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.17.2
Benchmark Details	Employers shall train workers in proper lifting techniques, and items such as lifting belts shall be provided.
Finding Details	Training on Ergonomics was provided to 58 out of 1310 workers in past 12 months. Training on lifting techniques is not provided at all.

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	1. The medical room is not completely equipped as legally required. There is one bed that is used as an examination bed. Observation beds for male and female workers are not provided. 2. The factory does not have a female nurse and has one male pharmacist.
Recommendation for Immediate Action	1. Legally prescribed equipment should be provided in the medical room. 2. It is recommended to employ female nurse as factory employs female workers.
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	The factory does not have written procedures for 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	The factory does not have written procedures for workers to raise health, safety, and environment concerns
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	The factory does not have written procedures for protection against retaliation for workers who raise health, safety, or environmental concerns.
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	Cooks are not provided with hand gloves and safety shoes. They were using a cloth apron which will not prevent injury from accidental fall of hot oil or water while cooking.
Recommendation for Immediate Action	Cooks should be provided with hand gloves, safety shoes, and appropriate aprons to prevent them from burn injuries.
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. One of the two band knife cutting machine operators was using mesh gloves on one hand instead of using on both hands. 2. The factory provided training on the use of PPE to 72 out of 1310 workers in past 12 months.
Recommendation for Immediate Action	1. Educate and monitor the use of mesh gloves on both hands by band knife machine operators. 2. Provide training on PPE use to remaining workers and conduct annually.
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	The factory does not provide training on the use of lockout tag-out arrangement, use of confined spaces, and working at heights.
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 (as legally required) are not provided for workers with standing jobs. 2. Sewing machine operators (except those in sample making section) were sitting on hard wooden stools which may cause bodily injury. Some were using fabric as a cushion to sit on. 3. Work stations are not adjustable in height.
Recommendation for Immediate Action	1. Provide anti-fatigue mats and sitting areas for workers with standing jobs. 2. Provide appropriate sitting arrangements for sewing machine operators to reduce bodily injury. 3. Work stations should be adjustable in heights to reduce strain on workers .
Compliance Classifications	Immediate Action Required
Local Law	1. 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. 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. 3. 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.
Recommendation for Immediate Action	

Compliance Classifications	Sustainable Improvement 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	Workers are informed about overtime work an hour prior to the end of the regular shift and the start of any overtime work.
Recommendation for Immediate Action	
Compliance Classifications	Sustainable Improvement Required
Local Law	

