

# Fair Labor Association: Independent External Factory Assessment

Assessment Date :

**15 Sep 2021**



## Factory Information

FLA Affiliates	Lululemon Athletica Inc.
Country	Sri Lanka
Number of Workers	2062

## 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)	4
Employment Relationship (ER)	16
Freedom Of Association And Collective Bargaining (FOA)	2
Harassment Or Abuse (H/A)	1
Health, Safety And Environment (HSE)	16
Hours Of Work (HOW)	5

## Assessment Information

Assessor	InSync Global
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Assessment Date	15 Sep 2021
Assessment Purpose	Factory Assessment (Virtual Compliance Check)

## ASSESSMENT RESULTS

### Compensation (C)

Benchmark ID	C.16.1
Benchmark Details	All compensation records, including wages and benefits whether in cash or in-kind, 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 records for overtime hours worked is not maintained for outsourced housekeeping workers. Working hours for outsourced housekeeping workers are maintained manually in a register on a daily basis and is verified by factory on a weekly basis . Factory does not maintain a summary of daily or monthly overtime working hours hence it cannot be verified if overtime hours worked is calculated accurately and within 60 hours a week. To verify actual working hours, overtime hours worked on each day of the month is required to be calculated separately. In absence of a summary of overtime hours worked, the calculation for compensation could not be verified.
Recommendation for Immediate Action	Complete records pertaining to calculation of overtime hours worked by outsourced housekeeping workers should be maintained.
Compliance Classifications	Immediate Action Required

Local Law	Wages Board Ordinance 1941- 3. 3. (1):Subject to the provisions of subsection (2) of section 5 the employer of workers in any trade shall maintain and keep in the premises where that trade is carried on a clear and accurate record in writing (hereinafter referred to as "wages record") in respect of each wage period of such workers, specifying - (a) the wage period, (b) the names of the workers who are paid wages in respect of such wage period, (c) the number of hours or days during which each such worker has worked in such wage period, (d) the wages paid to each such worker in respect of such period, (e) the date of payment of such wages, (f) the deductions from such wages, and (g) particulars of such other matters as may be prescribed
Benchmark ID	C.9.3
Benchmark Details	Employees shall be compensated for overtime hours at such premium rate as is legally required in the producing country
Finding Details	1. Working hours for outsourced housekeeping workers are maintained manually in a register on a daily basis and is verified by factory on a weekly basis. Factory does not maintain a summary of daily or monthly overtime working hours, therefore it cannot be verified if overtime hours worked is calculated accurately. To verify actual working hours, overtime hours worked on each day of the month is required to be calculated separately. 2. Review of time records from August 2021 for 5 sampled housekeeping workers revealed that hours worked on Saturdays is considered overtime after 8 hours of work. However, the regular working day on Saturdays is 5.5 hours as Saturdays are half working days. Therefore, compensation is inaccurate and workers are paid less.
Recommendation for Immediate Action	1. Factory needs to maintain complete documentation for verification of working hours by outsourced housekeeping workers. 2. Overtime work done on Saturdays should be calculated post completion of 5.5 hours of regular work.
Compliance Classifications	Immediate Action Required

Local Law	Board of Investments– Labor standards and employment relations manual – Section 2.1.1- Two/Three shift Operation- Monday to Friday – 8 hours per day inclusive of half an hour for a meal or rest. Saturday – A short working day of 5½ hours inclusive of an interval of half an hour for a meal or rest. Section 3.3.1 - Any work performed in excess of the normal working day (see 2.1.) to be treated as overtime work and shall be remunerated accordingly.
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	There is no separate specific channel for reporting grievances related to wages and benefits. Grievances if any are reported through worker council. Clarifications can be obtained from the HR team directly.
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	The Budgetary Relief allowance is reflected on the reverse of the wage slip for factory workers. For wage slips provided to outsourced housekeeping workers, it is not reflected at all.
Recommendation for Immediate Action	Budgetary Relief Allowance should be reflected separately on the wage slip for all workers.
Compliance Classifications	Immediate Action Required

Local Law	BOI circular NWR 6//6/1 dated 6/11/2005 – Budgetary Relief Allowance Act 36 of 2005 - Evidence of compliance – it is essential that wages/ salary increase paid to workers in or after October 2004 and allowance paid under the Act is shown separately in wage record of the enterprise and wage slip issued to workers as evidence of compliance under the requirements of the Act.
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## 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	Log of grievances is not signed by Management to verify and confirm appropriate action taken and also workers do not sign on the log to acknowledge action taken to their satisfaction. Action taken on grievances reported is communicated verbally to worker who reports grievance.
Recommendation for Immediate Action	
Compliance Classifications	Sustainable Improvement 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	Factory has not posted Covid-19 awareness posters throughout the factory.
Recommendation for Immediate Action	Post Covid-19 awareness posters throughout the factory.

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. In past 12 months training on Code of conduct was provided to 466 out of 2247 workers. 2. Training was not provided on safety and hygiene to canteen workers. 3. Covid -19 specific training is not provided 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	In the past 12 months, training on workplace disciplinary system was provided to 17 out of 123 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	In the past 12 months, training on Code of conduct was provided to 76 out of 123 Managers and Supervisors.
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. Factory does not have written policy on Grievance systems. Written procedures for reporting grievances do not include timelines for addressing grievances at each stage, the feedback mechanism , the requirement to maintain related documentation and requirement for training workers, Supervisors, and Managers on how to address grievances. 2. Grievances reported verbally are not documented. 3. Worker representatives are not present when grievance boxes (used as a confidential reporting channel) are opened by HR team. 4. Log of opening of grievance boxes is not maintained which can provide information on location of box, date of opening, time and contents found if any. As a practice boxes are opened twice a week.

Recommendation for Immediate Action	
Compliance Classifications	Sustainable Improvement Required
Local Law	
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	Factory does not have written policy and procedures on Non-Retalitaion.
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	<p>1. Factory does not written procedures on Recruitment and Hiring, forced labor, Retrenchment, or compensation. 2. Factory does not have written procedures for non- discrimination, however, there are some systems to ensure there is no discrimination in employment practices. 3. Factory does not have written policy and written procedures on Child Labor, however, there are some systems to ensure non-employment of child labor. 4. Factory does not have a written policy on Termination and Retrenchment, however, procedures are defined in writing for various types of Termination of employment. 5. Factory does not have written procedure for compensation. The written procedures do not include timelines and mode of payment for terminal dues. Policy on attendance allowance states that night shift allowance of LKR 1500 will be paid for direct category of workers, or sewing workers, and LKR 1000 will be paid for indirect category, or all other workers. Further, one day of leave is allowed for day shift workers to receive the allowance, however night shift workers are not allowed to take a day of leave and still receive the attendance allowance. This document was signed on September 1, 2021 by the management. Management could not provide satisfactory explanation on the difference in allowance. 6. Day shift allowance is not defined. 7. Job descriptions are not prepared for all personnel.</p>
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	Written procedure on workplace conduct and discipline does not provide information on the inquiry process e.g. If concerned workers can appeal and have witnesses. Written procedures do not define action that will be taken for the type of misconduct.

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	There are no written policies or procedures on recruitment and hiring or personnel development. However, some documents or systems exist to manage recruitment and hiring.
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	Factory does not have written policy and procedures on performance evaluations. Performance evaluations were not conducted in the factory at all. Two months prior to the assessment, the factory introduced a grading system for sewing machine operators based on skill levels. Evaluation of performance is conducted for sewing machine operators only and not for 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. Factory does not have written policy and procedures for promotions, demotions and job re-assignments. 2. The process for selecting sewing machine operators for whom performance is to be evaluated is not defined in writing and communicated to management and supervisors. Evaluation results are not signed by workers to acknowledge their understanding of results. In the past 2 months, the performance of 100% of the 1196 sewing machine operators was evaluated and they were graded to A, B & C grades. 3. Increment (grading allowance) is provided to workers with no promotions. Separate letter to communicate provision of grading allowance is not provided to workers and is included in the wage slip through which workers get to know of the allowance. When workers are promoted (worker to training in charge or supervisor), a letter is provided to communicate change in designation and increase in wages.
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 probation period is for 6 months. 2. The factory introduced a grading system for sewing machine operators, 2 months prior to the assessment. The information on the grading system was communicated to 1100 out of 2247 workers and no training was provided to Managers and Supervisors. Besides the staff who are responsible for the evaluation and grading process, the management team was not aware of the system. 3. Clause # 2 under Labor section, in the signed agreement between factory Allied Janitorial Services ( housekeeping) states that workers need to work 25 days a month from 7.30 am to 5.00 pm and 6.30 pm to 5.30 am. These working hours amount to 9.5 hours for day shift and 11 hours during night shifts. Total working hours indicate inclusion of overtime hours as well.
Recommendation for Immediate Action	1. Probation period should not exceed 3 months. 2. Information on grading system should be communicated to all employees. 3. Clause # 2 under Labor section, in the signed agreement between factory Allied Janitorial Services ( housekeeping) should be revised to comply with legal requirements on working hours and should not include overtime hours
Compliance Classifications	Immediate Action Required
Local Law	Board of Investments– Labor standards and employment relations manual – Section 2.1.1- Two/Three shift Operation- Monday to Friday – 8 hours per day inclusive of half an hour for a meal or rest. Saturday – A short working day of 5½ hours inclusive of an interval of half an hour for a meal or rest.
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	Factory does not use seasonal workers
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	1. Period for review of written policies and procedures is not defined. Most were last reviewed on January 1, 2019 and few in September 2021. 2. Workers are partially consulted or integrated in the decision-making process of aspects concerning workplace and working conditions. Workers are included for review of policies on Bonus payments, Grievance System and Environment protection.
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	Document that substantiates all issues covered in orientation is not provided to workers. Copy of WRAP principles and code elements is provided to workers.
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	Minutes of meetings of worker council is in "Sinhala" and is posted on notice board for communication to workers. Minutes are not posted in "Tamil" for Tamil speaking workers (approx. 10% of total work force) who do not read and understand "Sinhala". Per current practice, team leaders verbally communicate the minutes to the Tamil speaking workers. 2. Factory does not have written policy and written procedures on Freedom of Association and Collective Bargaining. There is a written policy on formation of worker representative committee ( WC), however, procedures are not defined on the formation of the council.
Recommendation for Immediate Action	
Compliance Classifications	Sustainable Improvement Required
Local Law	

Benchmark ID	FOA.11
Benchmark Details	Employers shall not interfere with the right of workers to: draw up their constitutions and rules; to elect their representatives; or to organize their administration and activities
Finding Details	Representatives in the worker council were elected by a show of hands and not the ballot system. This practice does not allow for free election. Factory has communicated to the labor department for the registration of the worker council (as legally required) and is awaiting the registration which is delayed due to Covid .
Recommendation for Immediate Action	
Compliance Classifications	Sustainable Improvement Required
Local Law	

### Harassment Or Abuse (H/A)

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	Factory does not have written policy and written procedures on Harassment and Abuse, however, there are some systems to ensure there is no Harassment and Abuse in the factory.
Recommendation for Immediate Action	
Compliance Classifications	Sustainable Improvement Required

Local Law	
<b>Health, Safety And Environment (HSE)</b>	
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	Factory does not have written procedures on Health & Safety.
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	Evacuation route markings on the floor in work areas are faded and not clearly visible. Aisles and evacuation routes are not marked in the kitchen and few areas in the panel checking section in cutting department.
Recommendation for Immediate Action	Aisle and Evacuation route markings on the floor in work areas and kitchen should be maintained prominently visible at all times.

Compliance Classifications	Immediate Action Required
Local Law	Section 41 (6) Factory ordinance No 45 of 1942 -Every window, door, or other exit affording means of escape in case of fire or giving access thereto other than the means of exit in ordinary use, shall be distinctively and conspicuously marked by a notice printed in red letters of an adequate size.
Benchmark ID	HSE.5.1.3
Benchmark Details	All applicable, legally required or recommended elements of safe evacuation shall be complied with, including all the following elements: installation and maintenance of emergency lighting
Finding Details	Exit signs in the patch printing and mold section are not prominently visible and are not illuminated for easy identification. Emergency lights are missing above exits from the kitchen.
Recommendation for Immediate Action	Exit signs in the patch printing and mold section should be marked so they are prominently visible and should be illuminated for easy identification. Emergency lights should be installed above Exits from kitchen.
Compliance Classifications	Immediate Action Required
Local Law	Section 41 (6) Factory ordinance No 45 of 1942 -Every window, door, or other exit affording means of escape in case of fire or giving access thereto other than the means of exit in ordinary use, shall be distinctively and conspicuously marked by a notice printed in red letters of an adequate size.
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	1. Multiple instances noted when two sewing machine operators were sitting back to back or at right angles to each other, restricting space for push back of chairs when workers get up. Instances noted where workers in packing section were standing back to back and working with restricted space for movement. In some instances, backs of workers were touching each other. For workers in patch printing section and for most sewing machine operators, chairs or bins were placed on either side to keep products, thus restricting access to passages behind them. Such practices may restrict quick and easy movement in case of an emergency. 2. Aisles and evacuation routes in packing areas had chairs, tables and packing boxes placed on them restricting free movement on aisles.
Recommendation for Immediate Action	1. Access to passages should be maintained clear at all times. 2. Aisles and evacuation routes should be maintained clear at all times.
Compliance Classifications	Immediate Action Required
Local Law	1.Factory ordinance No. 42 of 1942 Section 41(8) - The contents of any room in which persons are employed, shall be so arranged or disposed that there is free passage – way for all persons employed in the room to a means of escape in case of fire. 2. Factory ordinance No. 42 of 1942 Section 41(8) - The contents of any room in which persons are employed, shall be so arranged or disposed that there is free passage – way for all persons employed in the room to a means of escape in case of 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	Fire Extinguisher and alarm is not installed in chemical storage area and is provided at a distance.
Recommendation for Immediate Action	Provide fire Extinguisher and alarm in the chemical storage area.

Compliance Classifications	Immediate Action Required
Local Law	Board of Investment– Labor standards and employment relations manual- Section 6 – Industrial Safety subsection 6.15 - A fire alarm and means of escape in case of fire should be provided in every factory.
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. Factory does not provide workers with materials to clean or disinfect their workplaces. 2. Factory has not increased the frequency of general cleaning.
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	Traffic lanes and walk paths are not marked inside the factory.
Recommendation for Immediate Action	Mark traffic lanes and walk paths inside the factory.
Compliance Classifications	Immediate Action Required

Local Law	Factories Ordinance 1942 (Amended in 2002) –Section 45 - No machinery of any type or description which Regulation of is not expressly referred to in this Part shall (b) be operated except in such manner and with such safeguards and precautionary measures as may be prescribed by regulation for the better protection of persons or property from injury or damage likely to be caused by such machinery.
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	Antiseptic lotion (Dettol/ Savlon) , sterilised hand gloves, and burn creams are missing in first aid kits that were checked at random.
Recommendation for Immediate Action	Adequate supplies should be maintained in first aid kits in work areas.
Compliance Classifications	Immediate Action Required
Local Law	
Benchmark ID	HSE.4.1
Benchmark Details	Employers shall at all times be in possession of all legally required and valid permits and certificates related to health, safety, and environmental issues, such as: Purchase and storage of chemicals; Fire safety inspections; Machinery inspections; Waste disposal; Environmental licenses/permits; Sanitation permits, including those required for canteens; and Vehicle inspection and driver permits for all employer provided transportation.

Finding Details	1.Factory has not obtained "Good Manufacturing Practices Scheme Certificate" from Sri Lanka Standards Institution for the Canteen. Factory is in the process of implementation of recommendations from Sri Lanka Standards Institution and is yet to address all recommendations. 2. Inspection of pressure vessels was conducted by an independent authorized engineer engaged by a 3rd party firm which is not registered and authorized to conduct such inspections. The report is signed by the unauthorized 3rd party firm.
Recommendation for Immediate Action	1. Factory should obtained "Good Manufacturing Practices Scheme Certificate" from Sri Lanka Standards Institution for the Canteen. 2. Factory should ensure that Pressure vessels are inspected by competent persons.
Compliance Classifications	Immediate Action Required
Local Law	1.Section 12(2) Consumer Affairs Authority Act, No. 09 of 2003, No trader, caterer, ,supplier of processed food and/or any other person/persons shall engage in the business of catering or other similar or connected activity/ activities unless they obtain a Good Manufacturing Practices (GMP) certification based on the Sri Lanka Standard Code of Hygienic Practice for Catering Establishments (SLS 956) published by the Sri Lanka Standards Institution (SLSI). 2. Factories Ordinance 1942 section 36- (4) Every air receiver shall be thoroughly cleaned and examined at least once in every period of twenty-four months Every such examination and test shall be carried out by a person who is the holder of a certificate issued in that behalf by the Commissioner and a report of the result of every such examination and test, containing such particulars as may be prescribed (including particulars of the safe working pressure) shall be entered in or attached to the general register.
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. The risk assessment does not include the "frequency" of possible accidents or injuries, or the "number of workers working in the area who may be impacted in such instances". 2. Training was not provided on Health & Safety committee members. 3. Pictures from training reveals that social distancing is not maintained during training programs. 4. Factory has not posted information on room capacities to allow for at least 1 meter of distance between individuals, at all relevant locations 5. Maximum occupancy is not posted at the entrance of all worker common areas to limit the number of workers inside at a given time. 6. Factory has not updated transportation arrangements to reduce the risk of COVID-19 transmission during travel. 7. Factory has not installed impermeable barriers to prevent transmission between canteen servers and workers.
Recommendation for Immediate Action	
Compliance Classifications	Sustainable Improvement Required
Local Law	
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	In the past 12 months ,training on ergonomics was provided to 40 out of 2247 workers.
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 in the kitchen are provided with cloth aprons which may not be effective in preventing burn injuries from accidental spill of hot oil or water while cooking. Hand gloves are not provided to cooks who use metal stirrers while cooking.
Recommendation for Immediate Action	Provide appropriate aprons and hand gloves to cooks to prevent burn injuries.
Compliance Classifications	Immediate Action Required
Local Law	Factories Ordinance 1942 (Amended in 2002) –Section 45 - No machinery of any type or description which Regulation of is not expressly referred to in this Part shall (b) be operated except in such manner and with such safeguards and precautionary measures as may be prescribed by regulation for the better protection of persons or property from injury or damage likely to be caused by such machinery.
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	Training on PPE was provided to 23 out of 2247 workers in past 12 months.
Recommendation for Immediate Action	
Compliance Classifications	Sustainable Improvement Required

Local Law	
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 on machine safety was provided to 30 out of 2247 workers in past 12 months. Training is not provided at all for vehicles. 2. In past 12 months, training on operation of high risk machinery was provided to 30 workers and to 15 workers for working in confined spaces. Training is not provided for workers on the use of Lock out - Tag out arrangement, the use of laser cutting machine operators, or the steps to be followed when working at heights.
Recommendation for Immediate Action	
Compliance Classifications	Sustainable Improvement Required
Local Law	Factories Ordinance 1942 (Amended in 2002) –Section 45 - No machinery of any type or description which Regulation of is not expressly referred to in this Part shall (b) be operated except in such manner and with such safeguards and precautionary measures as may be prescribed by regulation for the better protection of persons or property from injury or damage likely to be caused by such machinery.
Benchmark ID	HSE.9.2
Benchmark Details	Workers shall receive training, appropriate to their job responsibilities, concerning the hazards, risks and the safe use of chemicals and other hazardous substances.
Finding Details	In past 12 month straining on chemical management was provided to 8 workers. Housekeeping workers were not included in the trainings.
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	Anti-fatigue mats are not provided to most workers with standing jobs which could be a risk for bodily injury.
Recommendation for Immediate Action	Provide anti-fatigue mats to most workers with standing jobs.
Compliance Classifications	Immediate Action Required
Local Law	Factories Ordinance 1942 (Amended in 2002) –Section 45 - No machinery of any type or description which Regulation of is not expressly referred to in this Part shall (b) be operated except in such manner and with such safeguards and precautionary measures as may be prescribed by regulation for the better protection of persons or property from injury or damage likely to be caused by such machinery.

## Hours Of Work (HOW)

Benchmark ID	HOW.8.2
Benchmark Details	All overtime work shall be consensual, and employers shall enact a voluntary overtime system, including for overtime utilized in exceptional circumstances*.
Finding Details	Factory does not obtain written consent for overtime hours worked up to 2 hours a day. Written consent is obtained when workers work additional overtime hours beyond 2 hours a day. However workers had no complaints.

Recommendation for Immediate Action	
Compliance Classifications	Sustainable Improvement Required
Local Law	
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 policy and procedure for working hours, however, some information on overtime working hours is maintained.
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 of the need to work overtime during their lunch breaks and not at the start of shifts.
Recommendation for Immediate Action	
Compliance Classifications	Sustainable Improvement Required

Local Law	
Benchmark ID	HOW.21
Benchmark Details	Other than in exceptional circumstances, the total weekly work hours (regular work hours plus overtime including any alternative shifts such as 4x4 or 3x3) shall not exceed 60 hours per week.
Finding Details	1. Working hours for outsourced housekeeping workers are maintained manually in a register on a daily basis and is verified by factory on a weekly basis. Factory does not maintain a summary of daily or monthly overtime working hours hence it cannot be verified if overtime hours worked is calculated accurately and within 60 hours a week. To verify actual working hours, overtime hours worked on each day of the month is required to be calculated separately. 2. Security Guards work on 12 hourly shifts which includes 3 hours daily. This amounts to 66 hours a work week. It also amounts to 72 hours of overtime in a month and violates the 60 hour overtime limit legally defined for female workers.
Recommendation for Immediate Action	1. Factory should maintain complete on working hours for outsourced housekeeping workers. 2. Monitor working hours so ensure security guards do not work beyond 60 hours a week and female guards do not work overtime in excess of 60 hours in a month.
Compliance Classifications	Immediate Action Required
Local Law	Factories Ordinance No 45 of 1942. Section 68 - Overtime employment of women and young persons over sixteen - Section 68 (1). Provided that the overtime worked by a woman shall not exceed in the aggregate sixty hours in any calendar month.
Benchmark ID	HOW.22.3
Benchmark Details	Time worked by all workers, regardless of wage system, shall be fully documented by time cards or other mechanical or electronic recording systems.

Finding Details	Working hours of outsourced Security guards and housekeeping workers is recorded manually in a register kept at security guard's cabin. This could be a risk of inaccurate recordings due to human error.
Recommendation for Immediate Action	
Compliance Classifications	Sustainable Improvement Required
Local Law	

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