

# Fair Labor Association: Independent External Factory Assessment

Assessment Date :

**20 Sep 2021**



## Factory Information

FLA Affiliates	Esprit Europe Services GmbH
Country	Bangladesh
Number of Workers	1850

## 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

FLA Code Element	Number of Violations
Compensation (C)	3
Employment Relationship (ER)	17
Freedom Of Association And Collective Bargaining (FOA)	1
Harassment Or Abuse (H/A)	1
Health, Safety And Environment (HSE)	23
Hours Of Work (HOW)	4

## Assessment Information

Assessor	Insync
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Assessment Date	20 Sep 2021
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Assessment Purpose	Factory Assessment (Hybrid)
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## ASSESSMENT RESULTS

### Compensation (C)

Benchmark ID	C.6
Benchmark Details	All wages, including payment for overtime, shall be paid directly and in full within legally defined time limits. When no time limits are defined by law, compensation shall be paid at least once a month.
Finding Details	As legally required, monthly wages are required to be paid within 7 working days from the end of pay period for all workers. Pay period for piece rated workers is from 26th day of a month to 25th day of following month and for salaried workers, pay period is from 1st day to last day of every month. Wages for piece rated are paid with wages of salaried workers i.e. within 7 working days of every month. Hence as a systematic practice wages for piece rated workers is always delayed and paid beyond the 7 days timeline post end of their pay period. Review of pay records revealed that wages to all workers for April 2021 was paid on May 12, 2021 instead of being paid within 7th of May 2021 resulting in delay by 10 days in payment of wages for piece rated workers and delay by 4 days in payment of wages for salaried workers. Wages for July 2021 was paid on August 9, 2021 ( delay by 7 days in payment of wages for piece rated workers and delay by 2 days in payment of wages for salaried workers).
Recommendation for Immediate Action	Wages for all workers should be paid within legally defined timelines.
Compliance Classifications	Immediate Action Required
Local Law	Bangladesh Labor Act 2006 updated in 2015 - CHAPTER X - WAGES AND PAYMENT THEREOF - Section 123. Time of payment of wages. (1) The wages of a worker shall be paid before the expiry of the seventh working day following the last day of the wage period in respect of which the wages is payable

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	Procedure for reporting concerns with wage and benefits is not separately defined and includes reporting for all types of grievances.
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. Terminal dues are calculated and paid by the head office. Documents pertaining to terminal dues of workers who resigned in August 2021 were not available for review. 2. A review of documents for workers who resigned in earlier months (May-July 2021) revealed that wages for days worked prior to leaving employment was paid with wages for all workers in the month after the worker resigns regardless of the date when worker resigns. For example, wages for a worker who resigned on the 10th of June was paid in July. If workers cannot come and collect their terminal dues on date when wages are paid, alternate dates are provided for workers to collect their dues. Legally, the wages for days worked prior to leaving employment should be paid within 7 working days.
Recommendation for Immediate Action	1. Pay records for terminal dues should be maintained on site and made available for review. 2. Factory should ensure that terminal dues are paid within legally defined timelines.
Compliance Classifications	Immediate Action Required

Local Law	Bangladesh Labor Rules 2015- Rule 112 (4)
<b>Employment Relationship (ER)</b>	
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 to Supervisors are not documented hence there could be a risk of unaddressed grievances. Grievances reported to HR team and those reported using grievance boxes are documented with information on date and action taken and is signed by the factory. The factory does not have a document that confirms that all grievances boxes were opened and checked. The log reviewed had information only on boxes where slips were found with grievances. There is no information to verify if all boxes were opened and checked. Most grievances reported pertain to Health & Safety concerns like unclean work areas, bad odor in work areas, blocked aisles, damaged floor tiles, one exit from dining area on 2nd floor, damaged outlet water pipe from wash basin in Canteen. Factory shared that the action taken for grievances reported is posted on notice boards and if required, communicated directly to workers who reported the grievances. However, none of the earlier postings that were allegedly posted were available for review by assessors.
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	Only a few Covid -19 posters are posted in some of the staircase landings and at the entrance of work areas, and not throughout the factory. Those posted are not prominently visible.
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	1. In the past 12 months, training on Code elements was only provided to 205 out 1150 workers. 2. The factory does not provide training to childcare workers on safety and hygiene except for some basic instructions on maintaining cleanliness in the child care room.
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 disciplinary system was provided to only 108 out of 150 managers and supervisors. Managers and supervisors are not well aware of steps to be followed for disciplining workers based on the nature of the misconduct.
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 elements was provided to 75 out of 150 Supervisors and Managers.
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	Written procedures on grievance systems do not include timelines for addressing grievances at each step and does not define who is responsible for each step. Information on steps to be followed for opening grievance boxes, maintaining logs and procedures to be followed for providing feedback to workers, requirement of training, maintaining documentation and assigning responsible persons is not defined.
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 a written policy and procedure for non-retaliation. There is no formally defined system in place to ensure non-retaliation for workers who file grievances. In practice, there have been no incidents of retaliation so far against workers for reporting grievances.
Recommendation for Immediate Action	
Compliance Classifications	Sustainable Improvement Required
Local Law	
Benchmark ID	ER.1.1

Benchmark Details	Employers shall have in place written policies and practices and maintain proper and accurate records governing all aspects of employment from recruitment, hiring and probation, including written terms and conditions of employment, job descriptions, administration of compensation, and working hours for all positions, through to retrenchment and termination processes.
Finding Details	The factory does not have written procedures for nondiscrimination, forced labor, child labor, and compensation. The factory does not have written policy and procedures on Termination and Retrenchment.
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	Verbal warnings are not documented.
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	Factory does not have written policy and procedures on personnel development.
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 reviews. Performance is evaluated when workers request increments or promotions. Requests are made to the HR team.
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 policy and procedures on promotions, demotions and job reassignments. 2. The factory does not maintain documentation at all when performance of workers is evaluated. 3. Workers request HR Team for increments and promotions. The HR team connect with Supervisors who provide feedback verbally on performance of workers. Results of evaluations is not discussed with workers. Based on the verbal feedback, workers are provided with increments and promotions post approval from Production Manager. A letter is provided to workers to communicate promotion which includes information on change of designation and does not include information on increase in wage. This letter is signed by the worker. The letter to communicate only increment with no promotion, is not provided and information on increments is communicated verbally to workers and updated in the log of increase of wages filed in individual file of workers which is signed by workers.
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	In the past 12 months, out of total of 1150 workers, training was provided to 613 workers on Recruitment and Hiring, Termination and Retrenchment, Hours of Work and disciplinary procedures, to 677 workers on Wages and Benefits, to 545 workers on grievance systems, to 337 workers on waste management, to 232 workers on electrical safety and to 533 workers on Freedom of Association. Training did not include Non Discrimination and Harassment and Abuse.
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. Grievances reported to Supervisors are not documented hence there could be a risk of unaddressed grievances. 2. Identity cards are provided to workers 3 to 5 days post hiring and not on the day of hiring.
Recommendation for Immediate Action	1. All grievances reported should be documented with complete information on action taken which should be communicated to workers. 2. Identity cards should be provided to workers on the day of hiring .
Compliance Classifications	Immediate Action Required
Local Law	Bangladesh Labor Act 2006 updated in 2015- CHAPTER II CONDITIONS OF EMPLOYMENT AND SERVICE - section 5 - Appointment letter and identity card.- No employer shall employ any worker without giving such worker an appointment letter and every such employed worker shall be provided with an identity card with his photograph.

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 does not have a defined period for review of written policies and procedures. These are reviewed and revised when there are changes. 2. Workers are not consulted during review of policies and procedures. These are made based on legally defined guidelines.
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	Grievances can be reported in a confidential manner by using the grievance box provided in toilets or by using the direct email or telephone of Group HR head. For use of grievance box, workers visit the HR office to request for paper and pen to write their grievance. The procedure may not be effective if workers need to request for paper from the HR office.
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 documentation that substantiates all topics covered in orientation.
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	Management representatives in the Participation Committee have nominated themselves instead of being nominated by owners of the factory.
Recommendation for Immediate Action	
Compliance Classifications	Sustainable Improvement Required

Local Law	Bangladesh Labour Rules 2015- Chapter Thirteen Trade Union and Industry Relationship - Section 185 - Nomination of owner representatives in the participating committee- (1) Usually the chief executive or chief of the division or branch or welfare officer will be the representative of the owner on behalf of the organization, and where there is no such division or branch, acting officer of department or branch or welfare officer will be representative of the owner on behalf of the organization. (2) In every case mentioned in sub-section (1), that representative will be nominated by the owner.
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### 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 procedures for Harrassment and Abuse.
Recommendation for Immediate Action	
Compliance Classifications	Sustainable Improvement Required
Local Law	

### Health, Safety And Environment (HSE)

Benchmark ID	HSE.30.1
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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 management of environment, and management of Health & Safety parameters except for some information on fire safety. Factory does not have written procedures on managing environmental emergencies, managing air emissions, waste water and waste material. Factory does not have written procedures on management of PPE and Machine Safety.
Recommendation for Immediate Action	
Compliance Classifications	Sustainable Improvement Required
Local Law	
Benchmark ID	HSE.6.2
Benchmark Details	A sufficient number of workers shall be trained in first aid and firefighting techniques. Training shall be upon hire and with periodic refresher training.
Finding Details	The factory does not provide specific training to fire brigade members with specific responsibilities.
Recommendation for Immediate Action	
Compliance Classifications	Sustainable Improvement Required

Local Law	Bangladesh Labour Rules 2015-Sixth Chapter Security- Rule 55 (12) A trained officer shall be recruited in the factory/institute where at least 500 workers are employed. The duties of the officer shall be ensuring the preservation and maintenance of all fire-fighting equipment and keeping them fit and arranging training for the three teams mentioned in Sub-section 10 after every six-month period.
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	Designated assembly areas are used for parking trucks during loading and unloading of material in the factory.
Recommendation for Immediate Action	Designated assembly areas should not be used for parking trucks during loading and unloading of material in the factory.
Compliance Classifications	Immediate Action Required
Local Law	
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	Factory does not conduct an assessment after fire drills to learn how to improve the evacuation process.
Recommendation for Immediate Action	
Compliance Classifications	Sustainable Improvement Required

Local Law	
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	Illuminated exit signs are not installed above one exit in the dining area located in the canteen and on two exits from the chiller room. Industrial type of emergency lights are not installed above exits at all.
Recommendation for Immediate Action	Illuminated exit signs should be installed above the exits in the dining area located in the canteen and on two exits from the chiller room. Industrial type of emergency lights should be installed above all exits in the factory.
Compliance Classifications	Immediate Action Required
Local Law	Bangladesh Factories Act 2015 Chapter VI – safety section 57. Lighting (1) Sufficient and suitable lighting, natural or artificial, or both, shall be provided in every part of an establishment where workers are working or passing.
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	Aisle and evacuation routes are not marked between rows in linking section, on one side of trimming section, in some areas in sewing sections, checking areas in winding section of Jacquard distribution area and on one side of ironing section.
Recommendation for Immediate Action	Aisle and evacuation routes should be marked in all work areas.

Compliance Classifications	Immediate Action Required
Local Law	Bangladesh Labour rules 2015 Sixth Chapter Security rule 55 - (8) The arrangement should be made to show evacuation plan of exit in one or more places easily visible in each floor of the factory.
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	1. Spill response kit is not provided in chemical storage area in washing section. 2. Secondary containment with adequate capacity is not provided for individual chemical containers stored in washing section. 3. Chemicals stored in plastic containers are kept on iron frames with openings below which can lead to spillage to be collected in aluminum trays placed below the iron frames. Use of iron and aluminum material may be a risk for chemical reactions. 4. Access to chemical storage area in washing section is unrestricted to workers from washing section.
Recommendation for Immediate Action	1. Spill response kit should be provided in chemical storage area in washing section. 2. Secondary containment with adequate capacity should be provided for individual chemical containers stored in washing section. 3. Containers made with similar material should be used for storing chemicals, secondary containment and disposal to avoid risk of chemical reactions. 4. Access to chemical storage area in washing section should be restricted to workers .
Compliance Classifications	Immediate Action Required
Local Law	Bangladesh Factories Rules 1979- Rule 43: No materials or equipment shall be stacked or stored in such a manner as to cause risk of bodily injury.
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. Workers are not provided with material to disinfectant their work places separately, however, housekeeping staff disinfect work areas prior to start of work.
Recommendation for Immediate Action	1. Provide hand drying facility in toilets.
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. Factory does not have a defined inspection program for vehicles like inspection of condition of tires, locking arrangement of doors, testing of brakes, lights, turn indicators, horn, wipers etc. 2. Traffic lanes are not marked in the factory. 3. Anti skid stopper was missing on one of two ladders used by the maintenance department. 4. Three hydro extractors and six dryers do not have emergency stop arrangement. 5. Factory does not implement a lockout- tagout maintenance safety system.
Recommendation for Immediate Action	1. Factory should have a defined inspection program for vehicles like inspection of condition of tyres, locking arrangement of doors, testing of brakes, lights, turn indicators, horn, wipers etc. 2. Traffic lanes should be marked in the factory to avoid accidents 3. Anti skid stopper should be installed on ladders used by maintenance department. 4. Emergency stop arrangement should be installed on all three hydro extractors and six dryers. 5. Factory should implement a lockout- tagout for electrical safety.

Compliance Classifications	Immediate Action Required
Local Law	1. Bangladesh Factories Rules 1979- Rule 40: No machinery, plant or equipment shall be constructed, situated, operated or maintained in any factory in such a manner as to cause risk of bodily injury.
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	The factory has provided 44 gas masks, safety shoes and hand gloves for 120 trained members of the fire brigade. Fire suits and eye shields are not provided at all.
Recommendation for Immediate Action	Factory should provide adequate fire fighting equipment for use by all fire brigade members.
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. The factory employs 5 electricians. Two of the electricians do not have an electrical license, one electrician has an expired license (valid until April 23, 2021) that has not been renewed. Licences of the other two electricians are valid. 2. License to operate power generator was available for one power generator (440 KW capacity) and was not available for the other two (50 KW and 1000 KW capacities).
Recommendation for Immediate Action	1. All electricians should have valid license at all times. 2. License to operate all power generators should be maintained on site at all times.
Compliance Classifications	Immediate Action Required
Local Law	1. Bangladesh Labor Rules 2015, Chapter - 6, Section- 58. Warning about the electric danger- (9) The duty of electric wiring and keeping the same cannot be given any other persons except the person certified from the government or the company approved by the government. 2. Bangladesh Factories Rules 1979- Rule 40: No machinery, plant or equipment shall be constructed, situated, operated or maintained in any factory in such a manner as to cause risk of bodily injury.
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 factory has not provide training to Health and Safety committee members on COVID-19. 2. Some distancing between workers is maintained during training however is less than 1 meter for COVID-19 prevention. 3. The factory has not posted information on room capacities to allow for at least 1 meter distance between individuals, at all relevant locations. 4. Maximum occupancy is not posted at the entrance of all worker common areas to limit the number of workers inside at a given time. 5.Factory does not have procedures to quarantine employees who are back from the regions that are considered at-risk for COVID-19 exposure. 6. Factory has not taken steps to improve ventilation 7. Factory allows grace period for 30 minutes for workers to punch in to avoid late reporting for work. There is no system to ensure social distancing when workers go to dining areas during lunch breaks. 8. Factory has not reduced the number of workers in each room, to minimize the risk of COVID-19 transmission
Recommendation for Immediate Action	
Compliance Classifications	Sustainable Improvement 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	Factory does not provide safety instructions to contractors.
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 posted near machines used in the factory.
Recommendation for Immediate Action	Safety instructions should be posted near machines used in the factory.
Compliance Classifications	Immediate Action Required
Local Law	Factories Rules 1979- Rule 40: No machinery, plant or equipment shall be constructed, situated, operated or maintained in any factory in such a manner as to cause risk of bodily injury.
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. Confined space is not marked or fenced and signs are not posted to warn workers. 2. The factory does not have defined procedures for ensuring safety while entering confined spaces. 3. Helmets, safety belts and ropes are not provided for all workers from the maintenance team for use when working at heights. One helmet and one safety rope is provided for use by all workers from the maintenance team. The team does not use safety equipment at all when working at heights. Safety shoes is provided to one out of five electricians and not provided at all for two mechanics.
Recommendation for Immediate Action	1. Confined spaces should be fenced and warning signs should be posted to warn workers. 2. Factory should have defined procedures for ensuring safety while entering confined spaces. 3. Adequate safety equipment like helmets, safety shoes, and safety ropes should be provided for all maintenance workers.
Compliance Classifications	Immediate Action Required

Local Law	Bangladesh Factories Rules 1979- Rule 40: No machinery, plant or equipment shall be constructed, situated, operated or maintained in any factory in such a manner as to cause risk of bodily injury.
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 (including lifting techniques) was provided to 337 out of 1150 workers.
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	Factory does not have an appropriate system to respond to any unexpected environmental emergency such as chemical spills or gas leaks.
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 Environmental 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	1. The factory does not have written procedures for protection against relation for workers who raise concerns. 2. The factory has not conducted a HSE risk assessment.
Recommendation for Immediate Action	
Compliance Classifications	Sustainable Improvement Required
Local Law	
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	In the past 12 months, training on PPE was provided to only 635 out of 1150 workers.
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. In the past 12 months , training on machine safety was provided to only 163 out of 1150 workers. No training was provided on vehicles. 2. Factory does not provide safety training to designated workers working in confined spaces or working at heights.
Recommendation for Immediate Action	
Compliance Classifications	Sustainable Improvement Required
Local Law	
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	1. A worker using chemicals in the stain removing area was not aware of chemical safety. 2. Factory has provided training to all workers handling chemicals in production processes however training is not provided to housekeeping workers handling disinfectants which are chemicals.
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 are not provided to workers with standing jobs in checking and packing sections. 2. Sewing machine, bartak machine and over lock machine operators are provided wooden stools and benches to sit with no back rest. Linking machine operators are provided wooden chairs with back rest with no cushions. These sitting arrangements may cause bodily injury.
Recommendation for Immediate Action	1. Anti - fatigue mats should be provided to workers with standing jobs in checking and packing sections. 2. Sewing machine, bartak machine, over lock machine, and linking machine operators should be provided with appropriate sitting arrangements to reduce bodily injuries.
Compliance Classifications	Immediate Action Required
Local Law	Bangladesh Factories Rules 1979- Rule 40: No machinery, plant or equipment shall be constructed, situated, operated or maintained in any factory in such a manner as to cause risk of bodily injury.

## 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.22.4
Benchmark Details	Employers shall not maintain multiple time-keeping systems and/or records.
Finding Details	All working hours are captured in a single system however, the factory maintains 2 sets of time records. The 1st set reflects regular working hours and overtime hours up to 2 hours a day and the 2nd set reflects overtime hours worked beyond 2 hours a day. This practice is followed to satisfy requirements of few customers that factory works with. Factory shared complete records for this assessment.
Recommendation for Immediate Action	It is recommended to maintain one complete set of records.
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 requirements during lunch breaks and not at the beginning of shifts.
Recommendation for Immediate Action	It is recommended to inform workers about overtime requirements at the beginning of their shifts.
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	Sampled workers from all production processes except Jacquard (knitting) department worked 60 to 69 hours a week in August 2021.
Recommendation for Immediate Action	Factory needs to monitor and ensure workers do not work beyond 60 hours a week.
Compliance Classifications	Immediate Action Required
Local Law	Bangladesh Labour Rules 2006 (amended in 2015) - Chapter IX-section 102. Weekly working hours (1) No adult worker shall ordinarily work or be required to work in an establishment for more than 48 (forty-eight) hours in a week. (2) Subject to the provisions of section 108, an adult worker may work for more than 48 (forty-eight) hours also in a week: Provided that the total working hours of such worker shall not exceed 60 (sixty) hours in a week and on the average 56 (fifty-six) hours per week in a year:

