

Fair Labor Association: Independent External Factory Assessment

Assessment Date :

11 Oct 2021



Factory Information

FLA Affiliates	Amer Sports
Country	Bangladesh
Number of Workers	5059

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)	20
Freedom Of Association And Collective Bargaining (FOA)	2
Health, Safety And Environment (HSE)	26
Hours Of Work (HOW)	3

Assessment Information

Assessor	Insync
Assessment Date	11 Oct 2021

Assessment Purpose	Factory Assessment (Virtual Compliance Check)
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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	There are no separate procedures for reporting grievances related to wages and benefits. Related concerns can be raised to regular channels, including directly reporting to HR.
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. The factory employs 10 to 15 workers provided by an external contractor for loading and unloading cargo and for moving materials between buildings. The factory does not maintain employment records, which includes wages and working hours, for these workers. For full finding details, please refer to ER.19.1</p> <p>2. The factory deducts BDT 3 per day from wages of workers towards the cost of food. Following complaints on food quality, the quality was improved and the factory deducted an additional BDT 2 from wages.</p>

Recommendation for Immediate Action	1. Maintain complete documentation pertaining to working hours and payment of wages for outsourced workers. 2. Do not deduct the cost of food from wages as factory is required to provide food or food allowance.
Compliance Classifications	Immediate Action Required
Local Law	Bangladesh Export Processing Zone authority Wage circular dated November 27, 2018 - Clause E ii
Benchmark ID	C.19.1
Benchmark Details	Employers shall make every reasonable effort to ensure workers understand their compensation, including: the calculation of wages, incentives systems, benefits, and bonuses they are entitled to at the workplace and under applicable laws.
Finding Details	Workers are not well aware of how benefits are calculated.
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	The factory does not record the actual date of payment in pay records for terminal dues, therefore timely payments cannot be verified. As a practice, wages for days worked prior to leaving employment is paid with terminal dues within 15 days from the date of leaving employment instead of being paid within 7 days, as legally required.

Recommendation for Immediate Action	Record the actual date of payment in pay records for terminal dues and dues should be paid within legally defined timelines.
Compliance Classifications	Immediate Action Required
Local Law	Bangladesh Labor Rules 2015- Rule 112 (4)
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 Eid bonus is paid twice a year and is a fixed amount. The factory does not provide a wage slip for these bonus payments.
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	1. Grievances reported verbally to worker committee, Hot-line, Anti harassment committee, or to supervisors are not documented. Grievances reported using grievance boxes and those reported to floor counsellors are documented. 2. As a practice, the welfare office with a worker representative open the grievance boxes once a week on Thursdays. The factory does not maintain records to confirm if boxes are opened. The welfare office checks a box to confirm opening but the worker representative does not sign this form. The record reflects information on box location, date , name of worker, identity card number and grievance. Record of grievances documented contains information on action taken.
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	The factory has posted some informational Covid-19 awareness posters near staircases. However, these posters are not posted throughout the factory in all work areas.
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	The factory does not provide the appointment letter or identity cards to workers until 2-3 days post hiring instead of on the day of hiring.
Recommendation for Immediate Action	Appointment letter and identity cards should be provided to workers on the day of hire instead of 2-3 days post hiring.
Compliance Classifications	Immediate Action Required
Local Law	Bangladesh EPZ Labour Act 2019 - CHAPTER II CONDITIONS OF EMPLOYMENT AND SERVICE - Section 6.
Benchmark ID	ER.1.2
Benchmark Details	Employers shall assign responsibility for the administration of human resources to a clearly defined and adequately qualified staff member or staff members and ensure workers at all levels receive communication and training about existing policies and procedures or any revisions.
Finding Details	1. The factory does not provide ongoing training to workers on any FLA's Code elements or Employment Functions. 2. Workers in the childcare center do not receive specific health and safety or hygiene training.
Recommendation for Immediate Action	
Compliance Classifications	Sustainable Improvement Required
Local Law	

Benchmark ID	ER.18.2
Benchmark Details	Employers shall ensure managers and supervisors are fully familiar with the workplace disciplinary system and in applying appropriate disciplinary practices.
Finding Details	Managers and supervisors are not fully aware of the workplace disciplinary system.
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 does not provide any training to the relevant supervisors that includes FLA's Code elements and Employment Functions.
Recommendation for Immediate Action	
Compliance Classifications	Sustainable Improvement Required
Local Law	
Benchmark ID	ER.17.1

Benchmark Details	Employers shall have a clear and transparent system of worker and management communication that enables workers to consult with and provide input to management. This might include suggestion boxes, worker committees, designated spaces for worker meetings, union representatives, and meetings between management and workers' representatives.
Finding Details	Steps and timelines for addressing grievances are not defined. The requirement for training workers, supervisors, and managers is not included in the procedures on grievance system. Additionally, there is no information on how actions taken for how concerns raised are communicated back to workers.
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	The factory does not have a system to prevent retaliation against or discrimination towards workers who file grievances, including 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	The factory has not provided COVID-19 specific training to supervisors.
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 retranchment and termination processes.
Finding Details	<p>1. The factory's procedures on child labour states that the child (if found) will be allowed to continue education and working hours will be adjusted to allow education. No further information is provided.</p> <p>2. The factory's procedure on retranchment does not provide information on the responsible person, the requirement to inform concerned government authorities or worker committee, or what documentation that will be maintained. There is no information pertaining to layoffs.</p> <p>3. The written procedure on compensation does not include information on wages that will be paid per worker grade, except for probationary and unskilled workers. The percentage of legally required increments is not defined and refers to the legal requirement. There is no information on calculation of wages for days worked and calculation for the deduction of wages for unauthorized absenteeism and deduction for meals. There is no information on social security and its' deductions. Procedures do not define the calculation for payment of unused leaves. Requirement of training and information on responsible person is not included in the procedures.</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	The policies and procedures on workplace conduct and discipline do not include a requirement for training.
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 a written policy or 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	1. The factory does not have a written policy or procedures for performance reviews. 2. The factory could not share results on the evaluation of performance for individual workers to be considered for annual increments. A summary was shared which reflected the percent increase in wages. However, in absence of evaluation documents for individual workers, it cannot be verified if the assessment was conducted objectively. 3. The factory discusses evaluation results with workers but workers do not sign the evaluation results document.
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	Workers are considered for promotions based on recommendations from supervisors and production managers. Based on recommendation, the facility evaluates performance and promotes workers if results are satisfactory. The factory could not share the results of these evaluations so it cannot be verified if the process was objective.
Recommendation for Immediate Action	
Compliance Classifications	Sustainable Improvement Required
Local Law	
Benchmark ID	ER.4
Benchmark Details	Employers shall inform workers about workplace rules, environmental protection systems, health and safety information, and laws regarding workers' rights with respect to freedom of association, compensation, working hours, and any other legally required information, and the FLA Code through appropriate means, including posted in local language(s) throughout the workplace's common areas.
Finding Details	1. The factory does not provide regular communication to workers on FLA's Code elements and Employment Functions at all. 2. The FLA code is not made available or communicated to the workers 3. The factory does not provide training to supervisors and managers on any revisions made to the emergency management plan related to COVID-19.
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 verbally to worker committee, Hot line, Anti-harassment committee and Supervisors is not documented. For full finding details, please refer to ER.17.5. 2. The factory employs 10 to 15 workers provided by an external contractor for loading and unloading cargo and for moving material between buildings. Post completion of work, the factory pays the contractor who then pays these workers. The factory does not have a written agreement with the contractor and also does not maintain employment records for these workers, including proof of age. The factory does not document or monitor hours worked and wages paid to these workers. This practice presents a risk for employing under-aged workers and non payment of applicable wages.
Recommendation for Immediate Action	1. Document grievances reported verbally to worker committee, Hot line, Anti harassment committee, and supervisors. 2. Maintain written agreement with contractor for providing services, maintain employment records including proof of age and monitor working hours and wage payments for workers engaged through a contractor.
Compliance Classifications	Immediate Action Required
Local Law	
Benchmark ID	ER.3.1
Benchmark Details	Employers shall provide an orientation to new employees at the time of hiring, which includes explanations of the employers' rules, compensation package and policies for human resources, grievance systems, industrial relations, including respect of the right to freedom of association, workers' rights and responsibilities, FLA Code of Conduct, health and safety, and environmental protection.

Finding Details	1. The orientation program for new workers does not include recruitment, hiring & personnel development, hours of work, compensation, freedom of association, or environment. 2. The factory does not provide orientation training to new workers which covers extraordinary or temporary health & safety precautions in the factory.
Recommendation for Immediate Action	
Compliance Classifications	Sustainable Improvement Required
Local Law	
Benchmark ID	ER.1.3
Benchmark Details	Employers should implement an annual, review process with input from workers of all policies, procedures and their implementation to ensure they meet legal requirements and the FLA Workplace Code.
Finding Details	1. The review period for policies and procedures is not defined. 2. Policies and procedures are based on legally defined guidelines, therefore workers are not consulted.
Recommendation for Immediate Action	
Compliance Classifications	Sustainable Improvement Required
Local Law	
Benchmark ID	ER.18.3.4
Benchmark Details	Records of disciplinary action must be maintained in the worker's personnel file.
Finding Details	The factory does not document verbal warnings in workers' personnel files.

Recommendation for Immediate Action	Verbal warnings should be documented.
Compliance Classifications	Immediate Action Required
Local Law	
Benchmark ID	ER.3.3
Benchmark Details	Workers should be provided with written documentation that substantiates all the issues covered in orientation briefings.
Finding Details	The factory does not provide documentation of the topics covered during the orientation program 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	The factory does not have written procedures on the formation of worker committee and the committee's responsibilities.
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	Workers representatives in workers' participation committee are selected by representatives of the earlier worker council and management.
Recommendation for Immediate Action	Workers representatives in workers participation committee should be elected by workers.
Compliance Classifications	Immediate Action Required
Local Law	

Health, Safety And Environment (HSE)

Benchmark ID	HSE.30.1
Benchmark Details	Employers shall develop, maintain, and regularly review health, safety, and environmental policies to ensure that they comply with all national laws, regulations and the FLA Workplace Code concerning health, safety, and environmental standards, regulations and procedures.
Finding Details	1. Procedures regarding environmental protection do not include information on the responsible person and the requirement for training. 2. Procedures on health & safety do not include information on chemical 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	1. There are designated assembly areas. However, parked vehicles and construction materials are partially blocking these areas. 2. Most aisles and evacuation route markings in most work areas are faded.
Recommendation for Immediate Action	1. Maintain assembly areas clear at all times. 2. Ensure that aisles and evacuation route markings are clearly visible.
Compliance Classifications	Immediate Action Required
Local Law	Bangladesh Labour Rules 2015 - Sixth Chapter Security - Rule 54.
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 the drill 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	The emergency lights above the exits in the embroidery, printing, and cutting sections are not the industrial type of emergency lights. The lights are installed on walls away from exits and may not illuminate exits in the case of an emergency.
Recommendation for Immediate Action	Provide industrial type of emergency lights above exits in embroidery sections, printing sections and cutting sections.
Compliance Classifications	Immediate Action Required
Local Law	Bangladesh Factories Act 2015 Chapter VI – safety section 57.
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. Exits from most work areas are partially blocked with packed cartons and tables. 2. Most exit routes in all work areas are partially blocked with work stations, tables, and garment stands. Workers in cutting and checking areas were standing on aisles and working. Packing sections are congested with restricted access to passages and exits.
Recommendation for Immediate Action	1. Exits should be maintained clear at all times. 2. Access to passages and evacuation routes should be maintained clear at all times.
Compliance Classifications	Immediate Action Required

Local Law	Bangladesh Labour Rules 2015 - Sixth Chapter Security - Rule 54.
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 and usage areas. 2. Secondary containment provided is inadequate and would not contain complete quantity of chemicals in the case of leaks in the primary container. 3. Hazardous waste storage containers do not have labels.
Recommendation for Immediate Action	1. Provide spill response kit in chemical storage and usage areas. 2. Ensure that the secondary containment has adequate capacity to contain complete quantity of chemicals in case of leaks in primary container. 3. Labels should be posted on hazardous waste storage containers.
Compliance Classifications	Immediate Action Required
Local Law	Bangladesh Factories Rules 1979- Rule 42
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. The toilets do not have hand dryers. 2. The factory does not provide workers with materials to clean or disinfect their workplaces. 3. The factory has not increased the frequency of general cleaning.
Recommendation for Immediate Action	1. Provide hand dryers in toilets. 2. Provide workers with materials to clean or disinfect their workplaces. 3. Increase the frequency of general cleaning.

Compliance Classifications	Immediate Action Required
Local Law	
Benchmark ID	HSE.13
Benchmark Details	All necessary ventilation, plumbing, electrical, noise and lighting services shall be installed and maintained to conform to applicable laws and to prevent or minimize hazardous conditions to workers in the facility.
Finding Details	1. The factory does not provide ear plugs to 1 out of 3 workers in the power generator and the compressor area. 2. Management has not conducted any assessments for determining thermal comfort problem areas.
Recommendation for Immediate Action	1. Provide ear plugs to all workers in the power generator and the compressor area. 2. Conduct assessments for determining thermal comfort problem areas.
Compliance Classifications	Immediate Action Required
Local Law	Bangladesh Factories Rules 1979- Rule 40
Benchmark ID	HSE.14.1
Benchmark Details	All production machinery, equipment and tools shall be properly guarded and regularly maintained.
Finding Details	1. Vehicles owned and used by factory are not inspected for safety. In the case of break downs or complaints from the driver, vehicles are checked. 2. The factory does not monitor the validity of driving license of drivers who use vehicles. 3. A locking arrangement on ladders is not provided. A piece of fabric is tied to prevent the legs from moving. 4. Needle guards installed on sewing machines are pushed upwards rendering them ineffective in protecting injury to fingers of sewing machine operators, 5. The factory does not use a lockout-tag out arrangement.

Recommendation for Immediate Action	1. Periodically inspect vehicles owned and used by factory periodically for safety. 2. Monitor the validity of driver's license for those who use vehicles. 3. Provide secure locking arrangement on ladders. 4. Monitor the use of needle guards installed on sewing machines for effective use in protecting injury to fingers of sewing machine operators. 5. Implement a lockout-tag out arrangement.
Compliance Classifications	Immediate Action Required
Local Law	Bangladesh Factories Rules 1979- Rule 40
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	16 gas masks, 17 helmets, 16 shoes, 10 hand gloves, and 4 fire suits are provided for 680 fire fighters.
Recommendation for Immediate Action	Adequate fire fighting equipment should be provided for fire team.
Compliance Classifications	Immediate Action Required
Local Law	Bangladesh Factories Rules 1979- Rule 42
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	<p>1. One fire License reviewed reflects Plot numbers 113 to 121 and does not identify buildings included within the plot numbers. The second fire license has information on the 3rd floor of Building # MS 2 but has no information on the ground to the second floors. 2. Factory does not have operating license for one out of three power generators. 3. Six out of fourteen electricians do not have a license. 4. Compressor and power generators are not inspected by external competent persons. These are inspected and serviced by 3rd party firms who are not authorized as competent persons to provide such services. 5. Factory does not have "working hour" approval. Working hour is a legally required notice of hours for adult workers. 6. Food supplier providing food to the factory does not have a trade license.</p>
Recommendation for Immediate Action	<p>1. Fire license should include information on all areas of the factory. 2. Obtain the operating license for power generator missing the licenses. 3. Factory should employ electricians who hold valid licenses. 4. Compressor and power generators should be inspected by external competent persons. 5. Factory should obtain "working hour" approval from local government authorities. 6. Food supplier providing food to the factory should obtain have a trade license.</p>
Compliance Classifications	Immediate Action Required
Local Law	<p>1. Bangladesh Factories Rules 1979- Rule 40 2. Factories Rules 1979- Rule 43: 3. Bangladesh Labor Rules 2015, Chapter - 6, Section- 58. 4. Bangladesh Labour Rules 2015 -Sixth Chapter Security - Rule 62 - 5. Bangladesh Labour Act 2006 (updated in 2015) - CHAPTER IX WORKING HOUR AND LEAVE -Section 111. 6. Bangladesh Labour Rules 2015 - 354. Chapter Eighteen</p>
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 facility has not conducted an audiometric test for 2 out of 3 power generators and compressor operators who are exposed to high noise. 2. Empty oil containers are kept near the power generator room with no protective overhead shade. Access to this area is not restricted. 3. Oil waste, empty chemical containers, and electronic waste is sold to a waste handler. However, the agreement with the waste handlers does not include the disposal of hazardous material. The agreement was valid until September 1, 2021 and has not been renewed even though the factory continues to use the services of the waste handler. 4. The factory does not provide training to health and safety committee members. 5. The factory does not have a canteen facility. After the end of lunch break at 1.00 pm, workers do not have any option of having a snack or beverage until 5.00pm or 7.00pm if they work overtime.
Recommendation for Immediate Action	1. Conduct audiometric test for all power generator operators. 2. Empty oil containers should be kept under protective overhead shade and access to area should be restricted. 3. Ensure safe disposal of wastes. 4. Provide training to all health and safety committee members. 5. Provide canteen facility for workers.
Compliance Classifications	Immediate Action Required
Local Law	Bangladesh Factories Rules 1979- Rule 40; Bangladesh Labour Rules 2015 - Chapter Eight Welfare Arrangements - Rule 87
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 any safety information 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 displayed near machinery used in the factory.
Recommendation for Immediate Action	Display safety instructions near machinery used in the factory in the languages spoken by workers.
Compliance Classifications	Immediate Action Required
Local Law	Bangladesh Factories Rules 1979- Rule 40
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 spaces have a protection cover, however, they are not fenced and do not have signs posted to warn workers. 2. The factory does not have defined procedures for entering confined spaces.
Recommendation for Immediate Action	1. Confined spaces should be fenced and signs posted to warn workers. 2. Factory should have defined procedures for entering confined spaces and should monitor these procedures.
Compliance Classifications	Immediate Action Required
Local Law	Factories Rules 1979- Rule 40
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	Factory does not provide training to workers on ergonomics including lifting techniques.
Recommendation for Immediate Action	
Compliance Classifications	Sustainable Improvement Required
Local Law	
Benchmark ID	HSE.18.2
Benchmark Details	Medical staff shall be fully licensed and recognized under applicable national rules and regulations.
Finding Details	Two out of three nurses employed by the factory do not hold a three year diploma or medical assistance certificate. Instead, they have a certificate for training as a medical assistant to surgery and/or general medical assistance.
Recommendation for Immediate Action	Factory should employ qualified nurses.
Compliance Classifications	Immediate Action Required
Local Law	Bangladesh Labour Rules 2015 - Chapter Eight Welfare Arrangements- Section 77 - Treatment Room/Unit
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	1. The factory does not have written procedures to include protection against retaliation for workers who raise health, safety or environmental concerns. 2. The factory has not conducted a risk assessment for occupational safety, however, the risk assessment does not provide information on the possible source of risks like fire, electricity, machine, number of persons who would be impacted, frequency of accident or injury and engineering or administrative controls. The assessment defines provision of PPEs as precautions.
Recommendation for Immediate Action	
Compliance Classifications	Sustainable Improvement Required
Local Law	
Benchmark ID	HSE.30.2
Benchmark Details	The health, safety, and environmental policies shall contain the framework for a comprehensive health, safety, and environmental management system within which the following are clear and regularly tested and reviewed; procedures for reporting death, injury, illness and other health and safety issues (for instance, near-miss accidents) and environmental emergencies
Finding Details	The factory does not track all accidents and injuries or investigate all accidents in an attempt to identify root causes.
Recommendation for Immediate Action	
Compliance Classifications	
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	1. The band knife machine operator has a mesh glove for use on only one hand instead of both hands. 2. Hand gloves are not provided to workers in printing section. 3. Factory has not provided additional COVID-19 related PPE, such as; face masks and gloves.
Recommendation for Immediate Action	1. Ensure that band knife machine operator has mesh gloves for both hands. 2. Provide hand gloves to workers in the printing section. 3. Provide additional COVID-19 related PPE, such as; face masks and gloves
Compliance Classifications	Immediate Action Required
Local Law	Bangladesh Factories Rules 1979- Rule 42
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	The factory provides some awareness on PPE usage and maintenance but does not provide specific training. Factory management visits the work areas and communicates all code elements for an hour to all workers. There are no defined procedures for effective communication.
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	Please refer to finding in benchmark HSE.8
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	The factory provides some awareness on working with chemicals but does not provide any specific training. For specific finding details, please refer to finding HSE.8
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. Workers with standing jobs are not provided with anti fatigue mats. 2. Work stations are not adjustable in height.

Recommendation for Immediate Action	1. Workers with standing jobs should be provided with anti fatigue mats. 2. Work stations should be adjustable in height.
Compliance Classifications	Immediate Action Required
Local Law	Bangladesh Factories Rules 1979- Rule 40

Hours Of Work (HOW)

Benchmark ID	HOW.1.1
Benchmark Details	Employers shall comply with all national laws, regulations and procedures concerning hours of work, public holidays and leave.
Finding Details	1. Factory does not document or monitor hours worked and wages paid to contracted workers. Refer to ER.19.1 for more finding details.
Recommendation for Immediate Action	1. Factory needs to maintain written agreement with contractor for providing services, maintain employment records including proof of age and monitor working hours and wage payments for workers engaged through a contractor.
Compliance Classifications	Immediate Action 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	Procedures provides information on duration of break but does not explicitly define break timings.
Recommendation for Immediate Action	

Compliance Classifications	Sustainable Improvement Required
Local Law	
Benchmark ID	HOW.20
Benchmark Details	Employers shall have in place practices that conduct regular analysis of hours of work in their workplaces and procedures that demonstrate a commitment to progressively reducing excessive hours of work.
Finding Details	The factory's production plan is for for 10 hours of work daily, which includes 2 hours of overtime.
Recommendation for Immediate Action	Production should planned for 8 regular hours of work daily and should not include overtime hours.
Compliance Classifications	Sustainable Improvement Required
Local Law	

