

# Fair Labor Association: Independent External Factory Assessment

Assessment Date :

**14 Oct 2021**



## Factory Information

FLA Affiliates	Hanesbrands,Russell Brands/Fruit of the Lo
Country	Ethiopia
Number of Workers	3324

## 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)	2
Employment Relationship (ER)	3
Harassment Or Abuse (H/A)	2
Health, Safety And Environment (HSE)	7
Hours Of Work (HOW)	1

## Assessment Information

Assessor	Ethical Trade Services - Africa
Assessment Date	14 Oct 2021

Assessment Purpose

Factory Assessment (Hybrid)

## ASSESSMENT RESULTS

### Compensation (C)

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	Wage records were unavailable for all the contracted agency workers which includes 32 security staff, 20 canteen staff, and 68 cleaning staff.
Recommendation for Immediate Action	It is recommended that wages records are made available during an assessment. It is further recommended that copies of these records are maintained on-site or requested in advance.
Compliance Classifications	Immediate Action Required
Local Law	Not applicable
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	Payslips issued to the workers are in English which is not understood by the majority of the workers.
Recommendation for Immediate Action	
Compliance Classifications	Sustainable Improvement Required

Local Law	Article 60(2) of the Labor Proclamation No. 1156/2019 states; The employer shall have the obligation to make the register accessible and to explain the entries thereof, to the worker upon the latter's request.
<b>Employment Relationship (ER)</b>	
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	One agency contracted cleaning worker had not been issued with a copy of their employment contract.
Recommendation for Immediate Action	Ensure that the agency provides all workers with an employment contract.
Compliance Classifications	Immediate Action Required
Local Law	Article 4(1) of the Labor Proclamation No. 1156/2019 States; A contract of employment shall be deemed formed where a natural person agrees directly or indirectly to perform work for and under the authority of an employer for a definite or indefinite period or piece of work in consideration for wage;
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	Workers seem to be unaware of the contractual terms including the working hours, working days, and payment terms, especially for workers who have been at the facility for more than 3 years who had not received a recent updated training.
Recommendation for Immediate Action	
Compliance Classifications	Sustainable Improvement Required
Local Law	Article 4(2) of the Labor Proclamation No. 1156/2019 States; A contract of employment shall be stipulated clearly and in such manner that the parties are left with no uncertainty as to their respective right and obligation under the terms thereof;
Benchmark ID	ER.7.1
Benchmark Details	Employers shall have written policies and procedures with regard to performance reviews that outline the review steps and process, demonstrate linkages to job grading, prohibit discrimination, are provided in writing and seek feedback and agreement/disagreement from employees in writing, and that follow all local legal requirements.
Finding Details	1. The factory does not have written policies and procedures on performance reviews but some documents exist to manage the recruitment and hiring process. 2. The site does not conduct performance reviews for any group of workers to ensure gradual development of the general workforce e.g. a good practice could be that a general worker who performs well can be considered for machine attendant role after relevant training with respect to the machine.
Recommendation for Immediate Action	
Compliance Classifications	Sustainable Improvement Required
Local Law	Not applicable.

**Harassment Or Abuse (H/A)**

Benchmark ID	H/A.7
Benchmark Details	Employers shall not restrain the freedom of movement of workers, including movement in canteens, during breaks, using toilets, accessing water, or accessing necessary medical attention, as a means to maintain labor discipline.
Finding Details	Toilet breaks and drinking water breaks are partially restricted i.e. workers cannot access the toilets when it's being washed for 2 hours a day, and drinking water breaks are limited to two times a day.
Recommendation for Immediate Action	Recommend review the scheduling of the toilet cleaning exercise to ensure workers can access alternative toilets if one is being washed. Recommend the factory management communicates and enforces the freedom of movement policy to allow both supervisors and workers to be aware of the issue regarding drinking water breaks. Supervisors should not hinder workers from taking drinking water breaks during work hours and workers should have the ability to drink water whenever they need to.
Compliance Classifications	Immediate Action Required
Local Law	Article 32(1) of the Ethiopian Constitution 1994 States; Any Ethiopian or foreign national lawfully in Ethiopia has, within the national territory, the right to liberty of movement and freedom to choose his residence, as well as the freedom to leave the country at any time he wishes to.
Benchmark ID	H/A.5
Benchmark Details	Employers shall not use any form of verbal violence, including screaming, yelling, or the use of threatening, demeaning, or insulting language, as a means to maintain labor discipline.
Finding Details	2 out of 45 sampled workers reported that they were shouted at by the supervisor (both cited a specific supervisor).

Recommendation for Immediate Action	Supervisors should be retrained on people management and on the factory's policy on harassment. It is further recommended that the facility investigates all alleged harassment issues and takes action as per the grievances and disciplinary procedures.
Compliance Classifications	Immediate Action Required
Local Law	Article 18(1) of the Ethiopian Constitution 1994 States; Everyone has the right to protection against cruel, inhuman or degrading treatment or punishment.

### Health, Safety And Environment (HSE)

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	There are inadequate provisions of soap and driers in the toilets and eating area, cafeteria, and dining area.
Recommendation for Immediate Action	Recommend providing soap and driers in all the toilets and eating area, cafeteria, and dining areas.
Compliance Classifications	Immediate Action Required
Local Law	Labour Proclamation No. 1156/2019 Article 12(5) states; An employer shall in addition to special stipulations in the contract of employment have the following obligations: To take all the necessary occupational safety and health measures and to abide by the standards and directives to be given by the appropriate authorities in respect of these measures;
Benchmark ID	HSE.14.1
Benchmark Details	All production machinery, equipment and tools shall be properly guarded and regularly maintained.

Finding Details	The eye and finger guards for some sewing machines are moved by workers or not placed properly to ensure effectiveness in protecting employees from harm.
Recommendation for Immediate Action	Retrain workers who use the sewing machine on the importance of having the eye and finger guards maintained on the sewing machine. Recommend management enforces the use of sewing machines with the guards' in the correct position.
Compliance Classifications	Immediate Action Required
Local Law	Article 5 {2 (a(i))} of The Occupational Safety and Health Directives 2008 states; Every worker shall (a) make proper use of all necessary safeguards, safety devices and appliances (i) designated and provided for his or her protection by his or her employer,
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 first aid box for SHED 38 and 41 are inadequately supplied as per Schedule 8 of the Occupational Safety and Health Directives 2008.
Recommendation for Immediate Action	The facility should acquire additional first aid supplies as per Schedule 8 of the Occupational Safety and Health Directives 2008 and restocks the first aid box for SHED 38 and 41. It is additionally recommended that the facility develops a schedule for checking the supplies of all the first aid boxes being used on site.
Compliance Classifications	Immediate Action Required
Local Law	Schedule 8 and 9 of The Occupational Safety and Health Directives 2008 outlines the list of items to be in a first aid box as well as a first-aid room, respectively.
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. Workers regularly crowd around the drinking water point as they take a break to drink water after the meals. 2. Some workers were observed to be working close to each other (less than 1 meter apart).
Recommendation for Immediate Action	Recommend the facility retrains its workers on the Covid-19 restrictions as provided by the WHO guideline. It is further recommended that the factory puts social distance marks at the areas prone to overcrowding such as water drinking points and production floors.
Compliance Classifications	Immediate Action Required
Local Law	Article 8(1) of The Occupational Safety and Health Directives 2008 states; An employer shall as far as it is reasonably practicable ensure that a workplace or an area in that workplace is not so overcrowded as cause risk of injury to the safety or health of workers. Additionally, the Covid-19 Guidelines set as per World Health Organisation and adopted by the Ethiopia are 6ft / 1metre apart for each persons.
Benchmark ID	HSE.24
Benchmark Details	Employers shall not place any undue restrictions on drinking water in terms of time and frequency.
Finding Details	Workers have restricted access to drinking water. They have access two times a day, one during meal break and one at the end of the shift.
Recommendation for Immediate Action	Ensure drinking water is available to workers at all times and that workers understand their right to obtain potable water at all times.
Compliance Classifications	Immediate Action Required

Local Law	The Constitution of Ethiopia Article 32 (1) states; Any Ethiopian or foreign national lawfully in Ethiopia has, within the national territory, the right to liberty of movement and freedom to choose his residence, as well as the freedom to leave the country at any time he wishes to.
Benchmark ID	HSE.21
Benchmark Details	Employers shall not place any undue restrictions on toilet use in terms of time and frequency.
Finding Details	The facility has a cleaning system where the toilets are locked for 2 hours for cleaning which leads to restriction of access until these toilets are dry.
Recommendation for Immediate Action	Ensure there is a toilet that is accessible to workers at all times.
Compliance Classifications	Immediate Action Required
Local Law	The Constitution of Ethiopia Article 32 (1) states; Any Ethiopian or foreign national lawfully in Ethiopia has, within the national territory, the right to liberty of movement and freedom to choose his residence, as well as the freedom to leave the country at any time he wishes to.
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	The workers in the packing section work long hours without anti-fatigue mats.
Recommendation for Immediate Action	Recommend the facility provide anti-fatigue mats for all the workers in the packing section.
Compliance Classifications	Immediate Action Required

Local Law	Article 92(7) of the Labor Proclamation No. 1156/2019 States; An employer shall take the necessary measure to safe guard adequately the health and safety of workers; it shall in particular: Take appropriate precautions to ensure that all the processes of work in the undertaking shall not be a source or cause of physical, chemical, biological, ergonomic and psychological hazards to the health and safety of the workers.
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**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	Working hours records for workers from all three agencies were unavailable at the time of the audit. The factory outsources the security staff, canteen staff, and cleaning staff.
Recommendation for Immediate Action	Maintain a copy of working hours records on-site. These records should be made available during an assessment.
Compliance Classifications	Immediate Action Required
Local Law	

