

Fair Labor Association: Independent External Factory Assessment

Assessment Date :

18 Oct 2021



Factory Information

FLA Affiliates	Delta Galil Industries Ltd.
Country	Thailand
Number of Workers	2814

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)	9
Freedom Of Association And Collective Bargaining (FOA)	1
Harassment Or Abuse (H/A)	2
Health, Safety And Environment (HSE)	14
Hours Of Work (HOW)	5
Nondiscrimination (ND)	2

Assessment Information

Assessor	OneStep Viet Co., Limited
Assessment Date	18 Oct 2021
Assessment Purpose	Factory Assessment (Virtual Compliance Check)

ASSESSMENT RESULTS

Compensation (C)

Benchmark ID	C.9.3
Benchmark Details	Employees shall be compensated for overtime hours at such premium rate as is legally required in the producing country
Finding Details	<p>1) Based on payroll and attendance record reviews during the past 12 months, interviews with factory management and workers, the factory switched the public holiday from 26th May to 24th May 2021. Switching public holidays is not in line with legal requirements. This practice can lead to under payment for impacted workers. For instance, worker A received 100% on 24th May 2021, worked 11 hours on 26th May 2021. - Factory calculation: 100% on 24th May 2021 + 100% of 8 hours on 26th May 2021 + 150% of 3 OT hours on 26th May 2021 (200% of 8 hours + 150% of 3 OT hours); - Correct calculation: 200% of 8 hours on 26th May 2021 + 300% of 3 OT hours on 26th May 2021. 2) Based on payroll and attendance record reviews during past 12 months, interviews with factory management and workers, there is a 15 minute morning meeting before the official working time between 2-5 days per week. However, the factory does not calculate this 15 minutes of morning talk as overtime. Remark: official working time is 8:00 – 17:00.</p>
Recommendation for Immediate Action	1) Correctly pay all workers as legally required. Pay back affected workers. 2) The overtime payment shall be calculated properly and paid sufficiently for all workers.
Compliance Classifications	Immediate Action Required
Local Law	1) The Labor Protection Act B.E. 2541 (1998), Section 29 2) The Labor Protection Act B.E. 2541 (1998), Section 23
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>Based on payroll and attendance record reviews during the past 12 months, interviews with factory management and workers, the factory makes an excessive loan deduction (more than 10%) than is legally required for workers who have a personal loan with the bank. For instance, the detailed salary of worker A in August 2021 as follow: Gross salary: 6,255.79 THB and Loan deduction: 2,500 THB (~ 39%). The factory also does not have the written consent with workers to deduct the excessive loan as legally required. 2)</p> <p>Based on payroll and attendance record reviews during the past 12 months, interviews with factory management and workers, the factory deducts an excessive amount of more than one fifth (20%) in total, as legally required. For instance, the detail salary of worker A in August 2021 as below: - Gross salary: 5,664.69 THB - PVD Fund: 244 THB - SSF: 126 THB - Loan deduction: 2,427 THB As the information above, the total deductions for this worker in August 2021 was approximately 49%. Moreover, the factory also does not obtain written consent with workers to make deductions greater than one fifth, which is legally required.</p>
Recommendation for Immediate Action	<p>1) a) The excessive loan deduction shall not exceed 10% of workers' salary as legally required. b) Obtain written consent from employees whenever there are excessive loan deductions, as legally required. 2) a) Do not deduct more than one fifth of workers' salaries. b) Obtain written consent from employees whenever there are deductions greater than 20%.</p>
Compliance Classifications	Immediate Action Required
Local Law	1) The Labor Protection Act B.E. 2541 (1998), Section 76 2) The Labor Protection Act B.E. 2541 (1998), Section 76
Benchmark ID	C.17
Benchmark Details	Employers shall ensure that all legally required payroll documents, journals and reports are available, complete, accurate and up-to date.

Finding Details	Based on payroll and attendance record reviews during the past 12 months, interviews with factory management and workers, 25 workers worked on the weekly rest day (18th April 2021). However, these workers did not scan their time-in/out in the timekeeping system. Workers shared that the supervisor asked them to not scan time-in/out and recorded the working time by manual records instead. As a result, the working hours, wage and benefit of these workers cannot be verified during the assessment time. Remark: the manual record shows that these workers worked 8 hours on that day and the factory paid for the manual recorded working hours.
Recommendation for Immediate Action	The working hour records shall be recorded accurately and reflect the actual working hours including weekly rest day.
Compliance Classifications	Immediate Action Required
Local Law	
Benchmark ID	C.18.1
Benchmark Details	Employers shall not use hidden or multiple payroll records in order to hide overtime, to falsely demonstrate hourly wages, or for any other fraudulent reason.
Finding Details	See finding in benchmark C.17
Recommendation for Immediate Action	All bookkeeping shall be transparent and accurated for the verification.
Compliance Classifications	Immediate Action Required
Local Law	
Benchmark ID	C.3.1.3
Benchmark Details	Where probationary employment is legally allowed, no workers shall work more than three months in this employment category.

Finding Details	Based on the labor contract reviews of outsourced security guards, their probation period is for 119 days, which is longer than the FLA limit of three months (approximately 90 days).
Recommendation for Immediate Action	The probationary period shall not exceed three months.
Compliance Classifications	Immediate Action Required
Local Law	

Employment Relationship (ER)

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	Based on training records reviews and confirmation from factory management, the FLA Code is not included in ongoing training for workers. The factory management explains that they are not aware of this requirement from FLA.
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	Based on training records reviews and confirmation from factory management, supervisors are not trained on the FLA code. The factory management explains that they are not aware of this requirement from FLA.
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	All sewing workers need to buy their own trimming scissors to use during work time. The factory does not provide this tool for sewing workers.
Recommendation for Immediate Action	Provide necessary tools to workers free of cost.
Compliance Classifications	Immediate Action 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	The factory does not have policies or procedures on performance reviews, demotion, and job-reassignment.
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	Communication between workers and the factory is not effective. All interviewed workers shared that they had to submit sick leave certificates to the factory in case they took sick leave less than three days and maternity leave was only 90 days. However, based on the factory policy and practice, the workers should be paid fully for sick leave of less than three days without a certificate and maternity leave should be at least 98 days. In general, the on-going training and/or communication to workers is not effective as workers do not fully understand policies. This finding is on documentation only, the factory ensures the mentioned benefits are provided in practice.
Recommendation for Immediate Action	
Compliance Classifications	Sustainable Improvement Required
Local Law	The Labor Protection Act B.E. 2541 (1998), Section 32
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	Based on training records reviews and confirmation from factory management, the FLA Code is not included in orientation training for all employees.
Recommendation for Immediate Action	
Compliance Classifications	Sustainable Improvement Required
Local Law	N/A
Benchmark ID	HOW.10.2
Benchmark Details	If not prohibited by local law, any replacement of official holidays with alternative days off must be voluntary and agreed upon in writing by the worker in advance.
Finding Details	The factory switched the public holiday from 26th May into 24th May 2021. This practice is not in line with legal requirements. Moreover, all workers shared that they did not participate in the meeting between the labor union and factory management to agree to switch the public holiday.
Recommendation for Immediate Action	Do no change the public holiday for any reason as legally required.
Compliance Classifications	Immediate Action Required
Local Law	The Labor Protection Act B.E. 2541 (1998), Section 29
Benchmark ID	ER.18.6

Benchmark Details	The workplace shall commit to non-retaliation for all steps of the disciplinary process, including for a worker requesting a witness and filing an appeal of disciplinary action.
Finding Details	The disciplinary policy does not commit to non-retaliation if a worker requests a witness during the process or if they want to file an appeal.
Recommendation for Immediate Action	
Compliance Classifications	Sustainable Improvement Required
Local Law	
Benchmark ID	ER.16.2
Benchmark Details	When employers are faced with major changes in production, program, organization, structure, or technology and those changes are likely to result in temporary or permanent layoffs, employers shall communicate any alternatives to retrenchment that have been considered and consult any workers' representatives as early as possible with a view to averting or minimizing layoffs.
Finding Details	The factory's retrenchment policy does not clearly state the criteria to choose which kind of workers will be laid off to ensure the practice is fair and transparent. Additionally, there is no statement that the factory shall communicate any alternatives to retrenchment that have been considered or consult with workers' representatives as early as possible to try to avert or minimize layoffs.
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 Labor Union and the Welfare Committee are in different groups instead of in the same group activity as legally required. The latest election of the Labor Union was conducted on 28th July 2021 and the Welfare Committee was on 1st Oct 2021.
Recommendation for Immediate Action	The Labor Union and Welfare Committee should be the same group activity as legally required.
Compliance Classifications	Immediate Action Required
Local Law	The Labor Protection Act B.E. 2541 (1998), Section 96

Harassment Or Abuse (H/A)

Benchmark ID	H/A.10.1.2
Benchmark Details	Body searches and physical pat downs shall only be undertaken when there is a specific, legitimate reason to do so and upon consent of workers, unless a state official with the power to do so (e.g. police officer) has ordered the search.
Finding Details	The factory pats-down (body search) workers every day in a public area (at the main entrance gate) four times per day: in the morning, before lunch, after lunch, and leaving at the end of the day.
Recommendation for Immediate Action	The factory shall only conduct body searches and physical pat downs when there is a specific, legitimate reason to do so and upon consent of workers.

Compliance Classifications	Immediate Action Required
Local Law	
Benchmark ID	H/A.10.1.3
Benchmark Details	Body searches shall not be undertaken in public and the person who undertakes the search shall be of the same sex as the person who is being searched.
Finding Details	Female security guards conduct pat downs for both male and female workers while male security guards only check male workers.
Recommendation for Immediate Action	Pat-downs shall not be undertaken in public and the person who undertakes the search shall be of the same sex as the person who is being searched.
Compliance Classifications	Immediate Action Required
Local Law	

Health, Safety And Environment (HSE)

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 has not conducted the annual fire safety training for workers as legally required. The latest training was conducted in June 2020 and less than 40% of the workers attended the training.
Recommendation for Immediate Action	Conduct annual fire safety training or provide fire safety training for at least 40% of the workforces.
Compliance Classifications	Immediate Action Required

Local Law	Ministerial Regulation, Ministry of Labour, on the prescribing of standard for administration and management of occupational safety, health and environment in relation to fire prevention and control, B.E. 2555 (A.D. 2012), Article 27
Benchmark ID	HSE.5.3
Benchmark Details	Alarm systems shall be regularly tested and evacuation drills shall be undertaken at least annually.
Finding Details	According to the annual safety plan, the safety drill at the main manufacturer and the rental warehouse shall be conducted in June 2021. However, due to the Covid-19 outbreak, the factory did not conduct this drill. The last fire drill was conducted in December 2020.
Recommendation for Immediate Action	Conduct the fire drill as mentioned in annual safety plan.
Compliance Classifications	Immediate Action Required
Local Law	Ministerial Regulation, Ministry of Labour, on the prescribing of standard for administration and management of occupational safety, health and environment in relation to fire prevention and control, B.E. 2555 (A.D. 2012), Article 30
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	Emergency exit routes (aisles) are not fully marked at the cutting area and the finished goods warehouse.
Recommendation for Immediate Action	Emergency exit routes (aisles) shall be marked clearly.

Compliance Classifications	Immediate Action 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 light at the maintenance area is nonfunctional. The factory corrected this concern on the first day of the assessment.
Recommendation for Immediate Action	Ensure emergency lights are checked and maintained regularly to ensure functionality.
Compliance Classifications	Immediate Action Required
Local Law	Ministerial Regulation, Ministry of Labour, on the prescribing of standard for administration and management of occupational safety, health and environment in relation to fire prevention and control, B.E. 2555 (A.D. 2012), Article 10
Benchmark ID	HSE.5.1.2
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 fire alarms;
Finding Details	1) To prevent a fake fire signal, the fire alarm system rings after two minutes of pressing the emergency call point fire alarm button. However, when testing zones A, B, C, D, and E, the fire alarm system was delayed about three to five minutes. In addition, the fire alarm control panel shows that fire alarm system was disabled at the moulding room. This issue was fixed on the first day of the assessment. 2) There is no backup source for fire system (fire alarm, smoke detector) installed at the rental warehouse.

Recommendation for Immediate Action	1) Fire alarm shall work in suitable time since the fire alarm signal is activated. Fire alarm system shall be checked / maintained regularly to ensure its function. 2) Fire alarm system shall have a backup battery.
Compliance Classifications	Immediate Action Required
Local Law	1) Ministerial Regulation, Ministry of Labour, on the prescribing of standard for administration and management of occupational safety, health and environment in relation to fire prevention and control, B.E. 2555 (A.D. 2012), Article 9 2) Ministerial Regulation, Ministry of Labour, on the prescribing of standard for administration and management of occupational safety, health and environment in relation to fire prevention and control, B.E. 2555 (A.D. 2012), Article 9
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	Materials are partially blocking emergency exit routes (aisles) at the cutting, moulding and zone D, E areas.
Recommendation for Immediate Action	Emergency exit routes (aisles) shall be free from obstruction.
Compliance Classifications	Immediate Action Required
Local Law	Ministerial Regulation, Ministry of Labour, on the prescribing of standard for administration and management of occupational safety, health and environment in relation to fire prevention and control, B.E. 2555 (A.D. 2012), Article 8
Benchmark ID	HSE.2

Benchmark Details	All documents required to be available to workers and management by applicable laws (e.g. health and safety policies, MSDS, environmental emergency plans) shall be made available in the prescribed manner and in the local language or language spoken by the workers, if different from the local language.
Finding Details	The facility does not conduct a health examination within the first 30 days of working according to the risk of work.
Recommendation for Immediate Action	Provide health checks for new employees.
Compliance Classifications	Immediate Action Required
Local Law	Ministerial regulation Re: Rules and procedures for medical examination B.E. 2547, Clause 3
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) There was no toilet tissue provided on the day of the assessment in the observed toilets. The factory corrected this issue on the second day of the assessment. 2) The waste bin in the toilet areas is not covered.
Recommendation for Immediate Action	1) Equip toilet tissue. 2) Equip cover for waste bins to ensure the sanitation.
Compliance Classifications	Immediate Action 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	The facility has not posted the loading limit test for the shelves at the finished goods warehouse.
Recommendation for Immediate Action	Post loading limit for each shelter.
Compliance Classifications	Immediate Action Required
Local Law	
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	1) There is no sprinkler installed at the rental warehouse, which is 2,080 square meters. 2) The eyewash station is nonfunctional at the maintenance area. The factory corrected the issue on the first day of the assessment.
Recommendation for Immediate Action	1) Install sprinkler system at the warehouse. 2) Ensure eyewash facilities to be maintained regularly to ensure its function.
Compliance Classifications	Immediate Action Required
Local Law	1) Ministerial Regulation, Ministry of Labour, on the prescribing of standard for administration and management of occupational safety, health and environment in relation to fire prevention and control, B.E. 2555 (A.D. 2012), Article 12 and 15 2) Ministerial Regulation on the Prescribing of Standard for Administration and Management of Occupational Safety, Health and Environment in Relation to Hazardous Chemical B.E. 2556, Clause 11
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 facility does not conduct an electrical system inspection at the rental warehouse. 2) The facility does not conduct a building inspection at the rental warehouse.
Recommendation for Immediate Action	1) Electrical system shall be inspected and certified. 2) Building inspection shall be conducted.
Compliance Classifications	Immediate Action Required
Local Law	1) Ministerial Regulation of Industrial Re: Safety electric system B.E. 2550, Clause 5 2) Ministerial Regulation on the Prescribing of Standard for Administration and Management of Occupational Safety, Health and Environment in Relation to Fire protection B.E.2555, Section 9
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	There are no safety instructions posted at three automatic cutting machines in the cutting area. Safety instructions were posted during the assessment.
Recommendation for Immediate Action	Post safety instructions near the machinery.
Compliance Classifications	Immediate Action Required
Local Law	

Benchmark ID	HSE.7
Benchmark Details	Workers shall be provided at no cost with all the appropriate and necessary personal protective equipment (e.g. gloves, eye protection, hearing protection, respiratory protection) to effectively prevent unsafe exposure (e.g. inhalation or contact with solvent vapors, noise, dust) to health and safety hazards, including medical waste.
Finding Details	The facility does not provide safety shoes to workers in the moulding area.
Recommendation for Immediate Action	Provide proper PPE to protect workers from harmful environment and working condition.
Compliance Classifications	Immediate Action Required
Local Law	Notification of Ministry of Labor and Social Welfare Re: Occupational Safety and workplace Environmental Management Methodology Relating Machinery, Crane and Boiler B.E. 2552, Clause 96
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) The factory does not provide specific health and safety training to some disabled workers. Remark: No accident has been confirmed to disabled workers in the last 12 months. 2) The new employee safety training is only 2-3 hours instead of the legally required 6 hours.
Recommendation for Immediate Action	
Compliance Classifications	Sustainable Improvement Required
Local Law	1) Occupational Safety, Health and Environment ACT B.E. 2554, Section 16 2) Occupational Safety, Health and Environment ACT B.E. 2554, Section 16

Hours Of Work (HOW)

Benchmark ID	HOW.22.2
Benchmark Details	Accurate time records shall be maintained by employers, including overtime, breaks, and leave.
Finding Details	See finding C.17 for full information.
Recommendation for Immediate Action	The working hour records shall be recorded accurately and reflected the actual working hours including weekly rest day. The legal wage and benefits of all employees should be provided sufficiently and kept records for the verification.
Compliance Classifications	Immediate Action Required
Local Law	
Benchmark ID	HOW.3
Benchmark Details	Employers shall provide reasonable meal and rest breaks, which, at a minimum, must comply with national laws.
Finding Details	Worker interviews confirmed that some workers do not receive breaks. In details: - Workers take a lunch break from 30 - 45 minutes instead of one (1) hour for lunch break. For example: worker A took a lunch break at 11:03 – 11:32 (30 minutes) on April 1, 2021. - The factory applies break time of 30 minutes before overtime working. However, some workers work early up to 15 minutes. For example: Worker A took break time at 17:00 – 17:11 (11 minutes) on April 26, 2021. Interviewed workers explained that they came back to work early to meet the production target. The early working time is recorded in attendance record; however, workers are not paid for these periods.
Recommendation for Immediate Action	Guarantee break time for all employees. Calculate the overtime payment correctly.
Compliance Classifications	Immediate Action Required

Local Law	The Labor Protection Act B.E. 2541 (1998), Section 27
Benchmark ID	HOW.10.1
Benchmark Details	Employers shall provide workers with all official public holidays as required under national laws, regulations and procedures.
Finding Details	See finding C.9.3
Recommendation for Immediate Action	Ensure to not switch/change the public holiday with any reason as legally required.
Compliance Classifications	Immediate Action Required
Local Law	The Labor Protection Act B.E. 2541 (1998), Section 29
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	Based on attendance record reviews of outsourced security, the security guards worked a maximum of 84 hours/week from Nov 2020 to May 2021 and a maximum of 72 hours/week from June to September 2021. 2) Over the past 12 months, workers usually work more than 60 hours/week. In details: - 20% of workers worked a maximum of 70 hours/week in November 2020; - 65% of workers worked a maximum 84 hours/week from December 2020 to May 2021; - Workers worked a maximum of 84 hours/week in 2021 (40 workers in June; 7 workers in July & 18 workers in September 2021).
Recommendation for Immediate Action	1) The weekly hours of outsourced employees shall not exceed 60 hours in a week. 2) The weekly hours of regular employees shall not exceed 60 hours in a week.
Compliance Classifications	Immediate Action Required
Local Law	

Benchmark ID	HOW.2
Benchmark Details	Workers shall be entitled to at least 24 consecutive hours of rest in every seven- day period. If workers must work on a rest day, an alternative consecutive 24 hours must be provided within that same seven-day period or immediately following.
Finding Details	Security guards worked from 13 - 30 days/month consecutively without any rest days from November 2020 - May 2021. There are approximately 11 – 12 security guards work at the factory.
Recommendation for Immediate Action	Ensure that all employees, including outsourced workers, shall receive at least 24 consecutive hours of rest in every seven days.
Compliance Classifications	Immediate Action Required
Local Law	

Nondiscrimination (ND)

Benchmark ID	ND.2.1
Benchmark Details	All employment decisions shall be made solely on the basis of a person's qualifications, in terms of education, training, experience, demonstrated skills and/or abilities, as they relate to the inherent requirements of a particular job.
Finding Details	See finding ER.16
Recommendation for Immediate Action	
Compliance Classifications	Sustainable Improvement Required
Local Law	
Benchmark ID	ND.3

Benchmark Details	Recruitment and employment policies and practices, including job advertisements, job descriptions, application and interview questions and job performance/evaluation policies and practices shall be free from any type of discriminatory bias.
Finding Details	The factory's recruitment announcement on social media in September and October 2021 has improper recruitment practices on working age and gender preferences for some job positions. For example: - Sewing workers: working age for hiring is from 18 – 50. - Merchandiser (Junior): working age for hiring is from 23 – 35. - Maintenance: working age for hiring is 23 and older and male only. In practice: - Sewing workers: The factory employs 285 workers older than 50 years old. In 2021, the factory recruited three sewing workers who are older than 50 years old. - Merchandiser (Junior): In 2021, the factory recruited two merchandisers who are older than 35 years old. In the whole merchandiser team, the factory has two older than 35 years old. - Maintenance: In 2021, the factory recruited one worker under 23 years old. There are no female maintenance workers.
Recommendation for Immediate Action	Job advertisements in social media shall be free from any type of discriminatory bias.
Compliance Classifications	Immediate Action Required
Local Law	

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