

Fair Labor Association: Independent External Factory Assessment

Assessment Date :

04 Jul 2022



Factory Information

FLA Affiliates	The s. Oliver Group
Country	India
Number of Workers	240

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)	16
Freedom Of Association And Collective Bargaining (FOA)	1
Harassment Or Abuse (H/A)	3
Health, Safety And Environment (HSE)	24
Hours Of Work (HOW)	3

Assessment Information

Assessor	Insync
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Assessment Date	04 Jul 2022
Assessment Purpose	Factory Assessment (In-Person)

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	The factory provides workers with payslips the day that wages are disbursed, instead of providing them on the day prior to payment as legally required.
Recommendation for Immediate Action	The payslip should be provided to workers one day before wages are disbursed.
Compliance Classifications	Immediate Action Required
Local Law	Minimum Wages Central Rules 1950- Rule 26 (2): A wage slip in Form XI shall be issued by every employer to every person employed by him at least a day prior to the disbursement of wages.
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	Workers who leave the company receive termination payouts at the end of the next pay period after their employment ends. Sampled pay records indicate that because of this system, workers who leave the company received payouts for unused leave up to 10 days after their employment ended. Local law, however, requires all payouts to be made within 2 working days of the termination of employment.

Recommendation for Immediate Action	Termination payouts (including wages for days worked and unused leave) should be paid within 2 working days from the termination of employment.
Compliance Classifications	Immediate Action Required
Local Law	Item 13(3) of Schedule 1 appended to Industrial Employment (Standing Orders) Rules 1946: Where the employment of any workmen is terminated, the wages earned by him and other dues, if any, shall be paid before the expiry of the second working day from the day on which his employment is terminated. Factories Act 1948, Chapter VIII section 79. Annual leave with wage (3)- If a worker is discharged or dismissed from service or quits his employment or is superannuated or dies while in service, during the course of the calendar year, he or his heir or nominee, as the case may be, shall be entitled to wages in lieu of the quantum of leave to which he was entitled immediately before his discharge, dismissal, quitting of employment, superannuation or death calculated at the rates specified in sub-section (1), even if he had not worked for the entire period specified in sub-section (1) or sub-section (2) making him eligible to avail of such leave, and such payment shall be made-- i) where the worker is discharged or dismissed or quits employment, before the expiry of the second working day from the date of such discharge, dismissal or quitting.
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	Workers at the factory receive an annual bonus. The bonus is not documented on a pay slip. Instead, workers sign a record with the amount of their bonus.
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	The factory did not maintain a log of worker grievances until May 2022. For grievances since May 2022, the log does not provide information on the nature of action taken by the factory or the date that a grievance was closed.
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	Standing orders, minimum wage notifications, a list of holidays, and Form 11 (which states approved working hours) are not posted in the workplace.
Recommendation for Immediate Action	Post standing orders, minimum wage notifications, a list of holidays, and Form 11 (which states approved working hours) prominently, accessibly, and in languages understood by the workforce.
Compliance Classifications	Immediate Action Required

Local Law	<p>1. The Industrial Employment (Standing Orders) Act, 1946- Section 9: The text of the standing order finally certified under this act shall be prominently posted by the employer in English and in the language understood by the majority of his workmen on special boards to be maintained for the purpose at or near the entrance through which the majority of the workmen enter the Industrial establishment and in all departments thereof where the workmen are employed. 2. Factories Act 1948- Section 61 (1): Notice of periods of work for adults: There shall be displayed and correctly maintained in every factory in accordance with the provisions of sub-section (2) of section 108, a notice of periods of work for adults, showing clearly for every day the periods during which adult workers may be required to work.</p>
Benchmark ID	ER.11.2
Benchmark Details	<p>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;</p>
Finding Details	<p>1. 70% of workers interviewed confirmed that they did not receive a copy of their employment contract (also known as an "appointment letter"). 2. The terms of employment included in the Hindi version of the appointment letter are incorrect and do not correctly communicate the term of employment. Hindi is the language spoken and understood by domestic migrant workers, but due to the incorrect information and poor translation work on the document, these workers do not understand the contents of the appointment letter or the terms of their employment.</p>
Recommendation for Immediate Action	<p>1. Provide an appointment letter containing the terms of employment to all workers on day of hiring. 2. Ensure that the contents of the appointment letter and terms of employment are accurate and comprehensible for all translation versions.</p>
Compliance Classifications	Immediate Action Required

Local Law	No Specific legal requirement on provision of appointment letter. Related reference - The Industrial Employment (SO) Act, 1946-Item 2 of Schedule 1B: The employer under terms and conditions stipulated in the letter of appointment, confirm the eligible workman and issue a letter of confirmation to him. Whenever a workman is confirmed, an entry with regard to the confirmation shall also be made in his service card within a period of thirty days from the date of such confirmation.
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	The assessment found that factory management is not aware of the FLA Code of Conduct or the FLA Code's Employment Functions.
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 assessment revealed that factory management is not aware of the FLA Code elements or Employment Functions, and no training is provided to supervisors on the topic.
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	The factory does not have written procedures on reporting and addressing grievances. This gap leaves timelines and responsibilities for addressing worker grievances undefined.
Recommendation for Immediate Action	
Compliance Classifications	Sustainable Improvement Required
Local Law	
Benchmark ID	ER.1.1
Benchmark Details	Employers shall have in place written policies and practices and maintain proper and accurate records governing all aspects of employment from recruitment, hiring and probation, including written terms and conditions of employment, job descriptions, administration of compensation, and working hours for all positions, through to retrenchment and termination processes.

Finding Details	<p>1. The factory does not have a written policy on recruitment and hiring. The written procedures in place for recruitment and hiring do not provide information on steps that will be followed for outsourced workers (security guards) or for domestic migrant workers. They also lack information on skill test requirements, the duration of the hiring and orientation process, the evaluations upon which hiring decisions are made, the need to maintain and update employment records, or the need for training and communication on these policies. 2. The factory does not have written procedures on non-discrimination. Some documents or systems on non-discrimination do exist. 3. The factory does not have written procedures on forced labor. 4. The factory does not have written procedures on child labor. Some documents or systems do exist to address child labor. 5. The factory does not have a written policy on termination and retrenchment. The written procedures on termination do not provide information on types of termination, the calculation of payouts, or methods and timelines for payouts. 6. The factory does not have written procedures on compensation and benefits. 7. The factory does not have a written job description prepared for all positions.</p>
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 written a policy or procedure for 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 procedure on performance reviews. The assessment found that the factory does not conduct any performance reviews of workers. 2. The factory does not conduct any performance reviews of workers. The factory does implement periodic wage revisions announced by the local government.
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	The factory does not have written policies and procedures on promotion, 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	The factory does not communicate FLA's Code elements and Employment Functions to its workers. The factory's orientation program imparts some awareness of the buyer's Code of Conduct. The factory does not provide ongoing training on the two Codes' standards.
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.

<p>Finding Details</p>	<p>1. The FLA-affiliated company's Code of Conduct is printed and posted on size A4 paper only on the 2nd floor of building #1. The Code is printed in English rather than the local language (Tamil) or the language understood by domestic migrant workers (Hindi). The Code is not posted prominently and cannot be easily read. 2. Prior to May 2022, the grievance log was not maintained at all. Since May 2022, a log of grievances has been maintained. The log does not provide information on the nature of action taken by the factory or the date that a grievance was closed. 3. A review of sampled employment contracts/appointment letters revealed the following: a. For 3 out of 35 samples, the worker's signature confirming acceptance of terms of employment was missing. b. The wage payable was listed as "0.00" on 1 appointment letter. This appointment letter was signed by employer and worker. c. The contents of Form 34 (name of person nominated to receive wages in case of death of domestic migrant worker) were in English and Tamil (local language) and not in Hindi (language understood by domestic migrant workers). These forms were signed by the domestic migrant workers who were not aware of the contents. d. While the appointment letter is signed by employer and employee, a separate document which specifies the terms of employment is not signed by employer and employee. e. Clause #12 in the appointment letter states that Gratuity will be provided as per the Gratuity Act, but does not define how the benefit is calculated. Workers interviewed were not aware of the Gratuity Act or the relevant calculations. f. Although the appointment letter for housekeeping workers (signed by employer and worker) defines working hours as 7:00 am to 5:45 pm (10 hours 45 minutes), the separate document with terms of employment defines them as 7:00 am to 4:15 pm. (9 hours 15 minutes). Both systems include a 1 hour 15 minute break. The appointment letter's working hours, therefore, indicate 9.5 hours of regular work, which does not comply with legal limits of 8 hours per day.</p>
<p>Recommendation for Immediate Action</p>	<p>1. Post the FLA-affiliated company's Code of Conduct prominently and accessibly, in languages understood by workers. 2. Communicate terms of employment to workers completely and accurately, reflecting legally defined work hours, in languages understood by workers. Obtain worker signatures on all appointment letters.</p>
<p>Compliance Classifications</p>	<p>Immediate Action Required</p>

Local Law	Factories Act 1948- Section 54 : Daily hours. Subject to the provisions of section 51, no adult worker shall be required or allowed to work in a factory for more than nine hours in any day.
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	The orientation training for workers covers basic information on working hours, compensation, and fire safety. It does not include information on Recruitment/Hiring, Personnel Development, Termination, Workplace Conduct, Grievance Systems, Freedom of Association, Health/Safety/Environment, or Benefits.
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. Policies and procedures do not include a defined review period. The factory does not review its written policies and procedures periodically. 2. The factory has developed its policies based on legally-defined guidelines. Workers are not consulted or integrated in the decision-making process for policies and procedures concerning workplace standards or working conditions.
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	The factory has not established a confidential factory-level grievance system.
Recommendation for Immediate Action	Establish and maintain at least one confidential channel for workers to report issues and grievances.
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	Workers do not receive a written document that communicates the topics discussed during orientation. The assessment reviewed a written list of orientation topics which states that "training on policies" will be provided. The list does not, however, name the specific policies that will be covered. Not all Code elements and benchmarks, therefore, can be verified as having been covered by the training. The "safety awareness" training topic does not cover safety measures for chemical handling, sharp tools, or safety guards. The "safety awareness" training is focused on fire safety only.
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 has a written policy on Freedom of Association and Collective Bargaining, but does not have written procedures to uphold or implement this policy.
Recommendation for Immediate Action	
Compliance Classifications	Sustainable Improvement Required
Local Law	

Harassment Or Abuse (H/A)

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	The factory does not conduct body searches. Male security guards at the main gate search bags belonging to female employees upon entry and exit from factory, posing a risk of gender-inappropriate interactions.
Recommendation for Immediate Action	
Compliance Classifications	Sustainable Improvement Required
Local Law	
Benchmark ID	H/A.1.1
Benchmark Details	Employers shall comply with all national laws, regulations and procedures concerning discipline, violence, harassment and abuse, including that which is gender-based
Finding Details	1. The factory has not designated a Presiding Officer for the Internal Complaint Committee (the committee that addresses complaints of harassment) as legally required. 2. The factory has not posted information communicating penal consequences for harassment of women in the workplace as legally required. 3. The factory does not conduct programs to sensitize its employees to the issue of harassment at the workplace as legally required. 4. The factory has not posted contact information for members of the ICC (Internal Complaint Committee) and LCC (Local Complaints Committee - a committee comprising of external non-employee representatives) for workers to consult when they wish to file a complaint. 5. The factory has not designated a management representative for the factory's Internal Complaint Committee as legally required.
Recommendation for Immediate Action	1. Designate a Presiding Officer for the Internal Complaint Committee. 2. Post and communicate the legally-required information on penal consequences for harassment of women at the workplace. 3. Conduct programs to sensitize employees on the issue of harassment at the workplace. 4. Post contact information of the members of ICC and LCC prominently and in the workforce's languages. 5. Designate a management representative for the ICC Committee.

Compliance Classifications	Immediate Action Required
Local Law	<p>A. Sexual Harassment of women at workplace (prevention, prohibition & redressal) act 2013- Section 4(2)(a): Internal Committee shall consist of the following members to be nominated by the employer namely-a Presiding Officer who shall be a woman employed at a senior level at workplace from amongst the employee. B. Sexual harassment of women (prevention, prohibition & redressal) at workplace act 2013- section 19(b): Every employer shall display at any conspicuous place, the penal consequences of sexual harassment. C. Sexual harassment of women (prevention, prohibition & redressal) at workplace act 2013- section 19(c): Every employer shall organize workshops and awareness programs at regular intervals for sensitizing the employees with provisions of the act. D. Sexual Harassment of women at workplace (prevention, prohibition & redressal) act 2013- Section 9: An aggrieved woman may make in writing a complaint of sexual harassment to ICC Committee or LCC committee, as the case may be, in 3 months of incident of sexual harassment. E. Sexual Harassment of women at workplace (prevention, prohibition & redressal) act 2013- Section 4(1): Every employer of a workplace shall, by an order in writing, constitute a committee to be known as "Internal Complaints Committee".</p>
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	The factory does not have a written policy or procedure on Harassment & Abuse.
Recommendation for Immediate Action	
Compliance Classifications	Sustainable Improvement 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	The factory does not have written procedures on environmental protection.
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 has a team of 7 workers who are the designated as "Emergency Response Team". Responsibilities are verbally communicated to the team and no training with specific responsibilities is conducted.
Recommendation for Immediate Action	
Compliance Classifications	Sustainable Improvement Required

Local Law	
Benchmark ID	HSE.5.3
Benchmark Details	Alarm systems shall be regularly tested and evacuation drills shall be undertaken at least annually.
Finding Details	The factory does not conduct evacuation drills during night shift for workers from the Printing department. Factory management explained that workers rotate the night shift every week, so that all workers participate in drills conducted during day shifts. Worker interviews revealed that workers are aware of the evacuation procedures.
Recommendation for Immediate Action	Conduct evacuation drills periodically during night shifts in order to account for the particular circumstances of factory emergencies during the night hours.
Compliance Classifications	Immediate Action Required
Local Law	Factories Act, 1948- Section 38 (2): Effective measures shall be taken to ensure that in every factory all the workers are familiar with the means of escape in case of fire and have been adequately trained in the routine to be followed in such cases.
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. The assembly areas are located on the driveway in front of building #1, which poses the risk of obstructing ambulances or fire trucks in case of emergency. 2. The floor markings to indicate the evacuation route are faded in the auto-printing section (on the 1st floor of building #2).

Recommendation for Immediate Action	1. Keep assembly areas clear at all times. 2. Ensure that evacuation directions are prominently displayed in work areas at all times.
Compliance Classifications	Immediate Action Required
Local Law	Factories Act, 1948- Section 38 (1) (a): In every factory, all practicable measures shall be taken to prevent outbreak of fire and its spread, both internally and externally, and to provide and maintain safe means of escape for all persons in the event of a fire.
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	The factory does not conduct an assessment after the evacuation drill to learn how to improve the evacuation process
Recommendation for Immediate Action	
Compliance Classifications	Sustainable Improvement Required
Local Law	
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 kits are not provided in the areas where diesel and paints/inks are stored and used. 2. The secondary containment system provided for the diesel barrel is inadequate to contain leaks.
Recommendation for Immediate Action	1. Provide spill response kits in all areas where diesel and paints/inks are stored or used. 2. Provide secondary containment with adequate capacity to contain links for diesel barrels.

Compliance Classifications	Immediate Action Required
Local Law	Factories Act, 1948-Section 7A (2b): Every occupier should have arrangement in the factory for ensuring safety and absence of risk to health in connection with the use, handling, storage and transport of articles and substances.
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	The factory does not provide soap or a way to dry one's hands in the restrooms.
Recommendation for Immediate Action	Provide soap and hand drying in the restrooms.
Compliance Classifications	Immediate Action Required
Local Law	Factories Act, 1948-Section 19(1) (a) : In every factory, sufficient latrine and urinal accommodation of prescribed types shall be provided conveniently situated and accessible to workers at all times while they at the factory. Factories Act, 1948-Section 19(1) (d): All such accommodation shall be maintained in a clean and sanitary condition at all time
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	Factory management has not conducted any assessments for determining thermal comfort problem areas.

Recommendation for Immediate Action	Conduct an assessment of any thermal comfort problem areas and ensure that any risks identified are addressed.
Compliance Classifications	Immediate Action Required
Local Law	Factories Act, 1948-Section 7A (2b): Every occupier should have arrangement in the factory for ensuring safety and absence of risk to health in connection with the use, handling, storage and transport of articles and substances.
Benchmark ID	HSE.14.1
Benchmark Details	All production machinery, equipment and tools shall be properly guarded and regularly maintained.
Finding Details	1. The speed limit for motorized vehicles inside the factory is not defined or posted. The factory does not have speed breakers or convex mirrors for vehicles entering and exiting the factory to create a safe driving environment. 2. The factory does not inspect external cargo trucks or the driving licenses of external drivers. The factory inspects its owned vehicles and their operators' driving licenses periodically, but does not maintain documentation of the license inspections. 3. Traffic lanes and walking paths are not marked inside the factory. 4. The assessment observed that on 100% of sewing machines, the needle guard has been pushed out of the way, rendering the guards ineffective. 5. The factory lacks a lightning protection system.
Recommendation for Immediate Action	1. Define and post the speed limit inside the factory. Install speed breakers and convex mirrors for vehicles entering and exiting the factory. 2. Inspect external cargo trucks and their drivers' licenses. Maintain records of all vehicle and license inspections. 3. Mark traffic lanes and walk paths inside the factory. 5. Properly install needle guards on sewing machines, communicate their importance to workers, and monitor their usage. 6. Install a lightning protection system.
Compliance Classifications	Immediate Action Required

Local Law	Factories Act, 1948-Section 7A (2b): Every occupier should have arrangement in the factory for ensuring safety and absence of risk to health in connection with the use, handling, storage and transport of articles and substances.
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. The factory does not provide PPE (eye shields, hand gloves, gas masks, and safety shoes) to the factory's firefighting team. 2. The contact information for emergencies is posted on the wall of security guard's cabin, but not on notice boards or work areas throughout the factory. 3. The eye wash station at the entrance to building #2 was not functional at the time of the assessment. The eyewash station in the paint storage room in building #1 is hand-operated rather than foot-operated, which may pose difficulties for workers needing the station. Furthermore, water from the eye wash station falls on the floor, close to feet of workers, posing a slip and fall risk.
Recommendation for Immediate Action	1. Provide PPE(eye shields, hand gloves, gas masks, and safety shoes) to the factory's fire fighting team. 2. Post contact information for emergencies on notice boards and in work areas throughout the factory. 3. Keep eye wash stations functional, safe, and convenient at all times.
Compliance Classifications	Immediate Action Required
Local Law	Factories Act, 1948-Section 7A (2b): Every occupier should have arrangement in the factory for ensuring safety and absence of risk to health in connection with the use, handling, storage and transport of articles and substances.
Benchmark ID	HSE.1
Benchmark Details	Employers shall comply with all national laws, regulations and procedures concerning health, safety, and the environment.

<p>Finding Details</p>	<p>1. The factory does not provide training to members of the Health and Safety Committee. 2. The factory has never submitted an annual report of waste generation and disposal to the local government's pollution control authorities as legally required. These reports are required to be submitted by June 30 of every year for the previous financial year (April to March). 3. Food handlers in the Canteen do not use hand gloves, nose masks, hair caps, or aprons while serving food to employees. 4. Female workers must request access (from a female office staffer and a female storage worker) to the factory-provided store of sanitary pads. Local law requires that sanitary pads be made available in the women's toilets.</p>
<p>Recommendation for Immediate Action</p>	<p>1. Provide training to members of the Health and Safety Committee relevant to this role. 2. Submit legally-required reports to relevant government authorities within defined timelines. 3. Educate workers on the need to use hand gloves, nose masks, hair caps, and aprons when handling food. Supervise workers to ensure compliance. 4. Make sanitary pads available in the women's toilets.</p>
<p>Compliance Classifications</p>	<p>Immediate Action Required</p>

Local Law	<p>1. Factories Act 1948- Section 41-G: Workers' participation in safety management. The occupier shall, in every factory where a hazardous process takes place, or where hazardous substances are used or handled, set up a Safety Committee consisting of equal number of representatives of workers and management to promote cooperation between the workers and the management in maintaining proper safety and health at work and to review periodically the measures taken in that behalf. 2. Hazardous Waste and other Waste (Management and Trans boundary Movement) Rules 2016 - Form 2 - General Conditions of Authorization dated 27/2/2020 condition no 14 - Annual Report shall be filed by June 30th for period ending March 31 of previous financial year. 3. Factories Act, 1948-Section 7A (2b): Every occupier should have arrangement in the factory for ensuring safety and absence of risk to health in connection with the use, handling, storage and transport of articles and substances. 4. Model Factories Rules, section 19 (3) and section 112 of Factories Act 1948 – Rule 44c- Sanitary napkins of adequate quantity conforming to Indian standards shall be provided and maintained in women’s toilet for their use and the same replenished on daily basis. (d) – Disposable bins with lids shall be provided within the women’s toilets for collection of used napkins. Used napkins shall be disposed off as per procedure approved by inspector.</p>
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	The factory does not provide safety instructions to the external contractors who perform building maintenance.
Recommendation for Immediate Action	Factory should provide safety instructions to the external contractors who perform building maintenance.
Compliance Classifications	Immediate Action Required

Local Law	Factories Act, 1948-Section 7A (2b): Every occupier should have arrangement in the factory for ensuring safety and absence of risk to health in connection with the use, handling, storage and transport of articles and substances.
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 all machinery.
Recommendation for Immediate Action	Post safety instructions near the machinery used in the factory, in languages understood by the workforce.
Compliance Classifications	Immediate Action Required
Local Law	Factories Act, 1948-Section 7A (2b): Every occupier should have arrangement in the factory for ensuring safety and absence of risk to health in connection with the use, handling, storage and transport of articles and substances.
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	<p>1. The factory has an underground water tank which is accessed through a shed where waste material is stored. Factory management explained that door to the shed is kept locked, but this door was found unlocked during the factory walkthrough. The entry point to the confined space (a manhole) is covered with a cement slab which is not marked or fenced-off. There is no warning sign posted on the slab.</p> <p>2. The factory does not have defined procedures for safe work in confined spaces. External cleaners are engaged periodically to clean the underground water tank.</p> <p>3. The maintenance team does not use safety helmets when working at heights.</p>

Recommendation for Immediate Action	1. Install a safety fence and post warnings near the opening of confined spaces. 2. Define and implement a safety procedures for working in confined spaces. 3. Provide safety helmets and supervise their use when working in high-risk situations.
Compliance Classifications	Immediate Action Required
Local Law	1. Factories Act, 1948- Section 33(1): In every factory every fixed vessel, sump, tank, pit or opening in the ground or in a floor which, by reason of its depth, situation, construction or contents, is or may be a source of danger, shall be either securely covered or securely fenced. 2. Factories Act, 1948- Section 36 (2) (a): No person shall be required or allowed to enter any confined space as is referred to in sub-section (1), until all practicable measures have been taken to remove any gas, fume, vapour or dust, which may be present so as to bring its level within the permissible limits and to prevent any ingress of such gas, fume, vapour or dust and unless a certificate in writing has been given by a competent person, based on a test carried out by himself that the space is reasonably free from dangerous gas, fume, vapour or dust. 3. Factories Act, 1948- Section 32(c): In every factory, when any person has to work at a height from where he is likely to fall, provision shall be made, so far as is reasonably practicable, by fencing or otherwise, to ensure the safety of the person so working.
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	The factory does not provide any training on ergonomics or lifting techniques.
Recommendation for Immediate Action	
Compliance Classifications	Sustainable Improvement Required
Local Law	

Benchmark ID	HSE.10.1
Benchmark Details	Material Safety Data Sheets (MSDS) for all chemicals and hazardous substances used in the workplace must be available at the usage and storage sites of the chemicals and hazardous substances, in the local language and the language spoken by workers, if different from the local language.
Finding Details	Paints and diesel stored in the factory bear MSDS sheets in English rather than the workforce's languages.
Recommendation for Immediate Action	Label all relevant materials with MSDSs in the local language and in languages understood by workers.
Compliance Classifications	Immediate Action Required
Local Law	Factories Act, 1948-Section 7A (2b): Every occupier should have arrangement in the factory for ensuring safety and absence of risk to health in connection with the use, handling, storage and transport of articles and substances.
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	The factory does not have defined procedures to respond to unexpected environmental emergencies such as chemical spills or gas leaks.
Recommendation for Immediate Action	Define procedures to respond to unexpected environmental emergencies and train those responsible for its implementation.
Compliance Classifications	Immediate Action Required

Local Law	Factories Act, 1948-Section 7A (2b): Every occupier should have arrangement in the factory for ensuring safety and absence of risk to health in connection with the use, handling, storage and transport of articles and substances.
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	The factory's risk assessments do not incorporate an analysis of the frequency of possible accidents/injuries. They also lack an explanation of the administrative processes, engineering controls, and preventative measures that should be implemented to address the risks identified.
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	Injury records from May 2022 through the date of the assessment were maintained. Factory management explained that records prior to May 2022 had been misplaced.

Recommendation for Immediate Action	
Compliance Classifications	Sustainable Improvement Required
Local Law	
Benchmark ID	HSE.7
Benchmark Details	Workers shall be provided at no cost with all the appropriate and necessary personal protective equipment (e.g. gloves, eye protection, hearing protection, respiratory protection) to effectively prevent unsafe exposure (e.g. inhalation or contact with solvent vapors, noise, dust) to health and safety hazards, including medical waste.
Finding Details	1. During the factory tour, gloves for the electrician were not found in the electric panel room, where they would normally be used. It took some time to locate the gloves. The gloves was packed in a damaged polythene packet. On day 2 of the assessment, the factory shared that a new pair of gloves had been acquired. The assessment observed the factory electrician wearing open slippers rather than safety shoes. 2.Safety helmets and ropes are not available in the factory for use by maintenance workers.
Recommendation for Immediate Action	1. Provide gloves and safety shoes for electrical work and supervise their use. 2. Provide safety helmets and ropes for use by maintenance workers and supervise their use.
Compliance Classifications	Immediate Action Required
Local Law	1. Factories Act, 1948-Section 7A (2b): Every occupier should have arrangement in the factory for ensuring safety and absence of risk to health in connection with the use, handling, storage and transport of articles and substances. 2. Factories Act, 1948- Section 32(c): In every factory,when any person has to work at a height from where he is likely to fall, provision shall be made, so far as is reasonably practicable, by fencing or otherwise,to ensure the safety of the person so working.

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	1. The factory's electrician does not use rubber gloves or safety shoes. 2. The assessment only observed one pair of safety gloves for use by the operators of 2 handheld cutting machines and 1 band knife machine. Factory management explained that all 3 machines would not be used at the same time; therefore, one pair of gloves is adequate. 3. In the past 12 months, 19 out of 205 workers were trained on use of PPE.
Recommendation for Immediate Action	1. Provide gloves and safety shoes for the electrician and supervise their use. 2. Provide safety gloves for all cutting machine operators. 3. Train all workers on the use of PPE and supervise its use.
Compliance Classifications	Immediate Action Required
Local Law	Factories Act, 1948-Section 7A (2b): Every occupier should have arrangement in the factory for ensuring safety and absence of risk to health in connection with the use, handling, storage and transport of articles and substances.
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, 8 out of 8 machine operators were trained to operate the cutting and fusing machines. However, no training was provided to workers operating machines in the Sewing, Printing, and Packing sections or those operating the power generator, compressors, and boilers. No training was provided on the operation of vehicles. 2. The factory does not use a Lock-out/Tag-out system. Management was not aware of the concept. The factory does not provide training on the use of Lock-out/Tag-out systems or on work in high-risk areas.

Recommendation for Immediate Action	1. Provide training on the safe operation of machines in all relevant departments and on the safe operation of vehicles. 2. Provide training on procedures of the use of Lock-out/Tag-out systems and on work in high-risk areas. Implement a Lock-out/Tag-out system for all work areas in which it is relevant.
Compliance Classifications	Immediate Action 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	In past 12 months, 19 out of 35 workers were trained in handling chemicals.
Recommendation for Immediate Action	Train all workers who handle chemicals on chemical safety.
Compliance Classifications	Immediate Action 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 and sitting break areas are not provided to workers who remain standing to perform their jobs. Workers were observed standing barefoot on hard floors or using high-heeled and/or hard-soled footwear. 2. Workers who sit to perform their jobs are provided with hard stools with no back rest or cushions. 3. Work stations are not adjustable in height.

Recommendation for Immediate Action	1. Provide sitting break areas and anti-fatigue mats to workers with standing jobs. 2. Provide appropriate sitting arrangements, including chairs with back rest and cushions, to workers with sitting jobs. 3. Make work stations adjustable in height.
Compliance Classifications	Immediate Action Required
Local Law	<p>A. Factories Act 1948- Section 44 (1): In every factory suitable arrangements for sitting shall be provided and maintained for all workers obliged to work in a standing position, in order that they may take advantage of any opportunities for rest which may occur in the course of their work. B. Factories Act, 1948-Section 7A (2b): Every occupier should have arrangement in the factory for ensuring safety and absence of risk to health in connection with the use, handling, storage and transport of articles and substances. C. Factories Act, 1948-Section 7A (2b): Every occupier should have arrangement in the factory for ensuring safety and absence of risk to health in connection with the use, handling, storage and transport of articles and substances.</p>

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	<p>In January of each year, the factory pays workers the wages for 100% of leave earned in the previous calendar year. As there is no leave to credit of workers, workers are marked absent with no wages paid if they take leave and stay away from work. With no wages paid for leave days, contributions from employer and employee towards benefit of social security (Provident Fund) is impacted. When no wages are paid, this also impacts annual earnings and related bonus of workers. Further the practice discourages workers from using their leaves as workers are tempted to receive money during festival period. The law allows for accumulation of earned leave of up to 30 days.</p>

Recommendation for Immediate Action	Encourage workers to use the paid leave days that they have accumulated, rather than going without paid leave to receive a payout.
Compliance Classifications	Immediate Action Required
Local Law	Factories Act 1948- Section 79(5)- If a worker does not in any one calendar year take the whole of the leave allowed to him under sub-section (1) or sub-section (2), as the case may be, any leave not taken by him shall be added to the leave to be allowed to him in the succeeding calendar year: Provided that the total number of days of leave that may be carried forward to a succeeding year shall not exceed thirty in the case of an adult.
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.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 plans its schedule with the assumption that production will run for 10 hours, including 2 hours of overtime, on all Mondays, Wednesdays, and Fridays.

Recommendation for Immediate Action	Production should be planned to meet goals within regular hours of work, rather than relying upon overtime.
Compliance Classifications	Immediate Action Required
Local Law	Factories Act 1948- Section 54 : Daily hours. Subject to the provisions of section 51, no adult worker shall be required or allowed to work in a factory for more than nine hours in any day.

