

Fair Labor Association: Independent External Factory Assessment

Assessment Date :

20 Jul 2022



Factory Information

FLA Affiliates	Under Armour, Inc.
Country	Indonesia
Number of Workers	2400

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)	9
Freedom Of Association And Collective Bargaining (FOA)	1
Health, Safety And Environment (HSE)	15
Hours Of Work (HOW)	2
Nondiscrimination (ND)	1

Assessment Information

Assessor	Donny Triwandhani
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Assessment Date	20 Jul 2022
Assessment Purpose	Factory Assessment (In-Person)

ASSESSMENT RESULTS

Compensation (C)

Benchmark ID	C.7
Benchmark Details	All payments to workers, including hourly wages, piecework, fringe benefits and other incentives shall be calculated, recorded, and paid accurately.
Finding Details	<p>Workers work in break times without being compensated. Additionally, working activities before regular working hours were also observed according to CCTV and time records. These hours are also not included in payments: - During the first-day assessment that approximately 20% of workers in the sewing section were working around 12:10 pm while their scheduled break time is from 11:30 am to 12:20 pm. - Based on randomly selected images of recorded CCTV cameras, around 13 production engineering workers in the cutting department were having a meeting with their supervisor at 6:41 am on July 18, 2022 while their regular working hours start at 7:00 am. On the 2nd floor of the additional sewing line, around 7 sewing operators were already working at 6:42 am and at least 3 sewing operators were working at 12:00 noon while their break time is from 11:30 am to 12:20 pm. - The time records reflected the early time in at 6:33 am to 6:35 am. - One chief, 2 supervisors, and 2 QC workers received warning letter type 2 on July 11, 2022 due to not giving correct information on the daily target. Issuing warning letters to the chief and supervisors related to production targets risks workers getting harder pressure from superiors to meet the daily target, and by letting workers work earlier or work during break time to catch up the target.</p>
Recommendation for Immediate Action	-Compensate for all overtime work including break times and working hours before/after regular working times. -Ensure not to let supervisors and workers work during the break time and work earlier before the normal hours started at 7:00 am. -Closely monitor the implementation

Compliance Classifications	Immediate Action Required
Local Law	Decision of the Minister of Manpower and Transmigration No. KEP 102/MEN/VI on Overtime work and Overtime pay (2004), Art. 4(1); Collective Bargaining Agreement Chapter V Article 21 stipulates normal working hours and break time.
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 provided workers with 5 days off on September 7 to 11, 2020 due to lower production orders from their buyers. According to the factory, the orders were reduced due to the global Covid-19 pandemic. The factory paid workers wages but their annual leave was deducted for these 5 days off. The factory announced the annual leave deduction before achieving a final agreement with unions. Several Bipartite meetings between factory management and union/worker representatives have been conducted to achieve an agreement on annual leave deduction in August 2020, before the 5 days off. Additionally, tripartite meetings between factory management and union representatives which was mediated by the local authorized manpower officer were conducted in September 2020, after the 5 days off. Despite the negotiation was failed for reaching a mutual resolution during the meetings, the Labor mediation officer is decided to that the factory can deduct 5 days of annual leave and deduction of annual leave started on November 2020. Workers mostly from SPN union went on strike in front of the factory in the period of September 13 to 17, 2021 demanding their right to get back their 5 days year 2020 annual leave. SPN union leaders and workers who joined the strike were considered absent without pay.
Recommendation for Immediate Action	Return 2020 annual leave of workers that had been deducted as a substitution of 5 days off day on September 7 to 11, 2020 during production down time or work suspension.
Compliance Classifications	Immediate Action Required

Local Law	Government Regulation No. 36 Years 2021 Concerning Wages Article 40 (2d)
Benchmark ID	C.15.1
Benchmark Details	Employers shall provide workers a pay statement in languages understood by workers each pay period and not less frequently than once a month,
Finding Details	Wages of workers who take long sick leave for 4 months and over are calculated manually, which is outside the ERP payroll system. During this period workers' basic wage is reduced to 75%, which is in compliance with the local law. However, there is no pay slip generated or provided for workers. As result, workers don't know the details of wage deductions during long sick leave.
Recommendation for Immediate Action	Ensure to generate the pay slip and provide it to workers who are on long sick leave; it can be sent to workers' email or mobile numbers.
Compliance Classifications	Immediate Action Required
Local Law	Government Regulation No. 36 Year 2021 Article 53 (2)

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	The ongoing training to workers is only on harassment and abuse, not on all FLA's Code elements and Employment Functions.
Recommendation for Immediate Action	

Compliance Classifications	Sustainable Improvement Required
Local Law	N/A
Benchmark ID	ER.2
Benchmark Details	Employers shall ensure that all legally mandated requirements for the protection or management of special categories of workers, including migrant, juvenile, contract/contingent/temporary, probationary workers, home workers, and pregnant or disabled workers, are implemented. Where local laws and FLA standards differ, the employer is expected to follow the highest applicable standard.
Finding Details	There are only 14 workers with disabilities out of a total of 2,668 employees which is not in full compliance with a local law that requires the factory to hire one person with disabilities per 100 employees. Thus, for a factory with 2,668 employees in total, the factory has to hire at least 26 workers with disabilities, as per legal requirements.
Recommendation for Immediate Action	Establish a program to provide training and employ more workers with disabilities.
Compliance Classifications	Immediate Action Required
Local Law	Law No.8 Year 2016 About Persons with Disabilities on Article 53
Benchmark ID	ER.1.1
Benchmark Details	Employers shall have in place written policies and practices and maintain proper and accurate records governing all aspects of employment from recruitment, hiring and probation, including written terms and conditions of employment, job descriptions, administration of compensation, and working hours for all positions, through to retrenchment and termination processes.
Finding Details	The policies and procedures on recruitment, hiring, and personnel development do not include nondiscrimination. Nondiscrimination is mentioned only in procedures on harassment and abuse.

Recommendation for Immediate Action	
Compliance Classifications	Sustainable Improvement Required
Local Law	N/A
Benchmark ID	ER.9.2
Benchmark Details	Employers shall have in place written policies and procedures regulating the recruitment and hiring of contract/contingent/temporary workers.
Finding Details	The factory does not have policies and procedures for recruitment and hiring of contract/contingent/temporary workers.
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).

<p>Finding Details</p>	<p>Improper disciplinary action implemented since: - One chief, 2 supervisors, and 2 QC workers received the warning letter type 2 on July 11, 2022, due to not giving correct information on the daily target. However, there is no record as evidence that the workers are provided with the right to appeal the disciplinary action and the ability to have a third party witness during the imposition of disciplinary actions. - Only workers signed this warning letter, the HR Manager and direct superior did not sign it. - There is no root cause analysis conducted to figure out why a group of workers (Chief, supervisors, and QC inspector) gave incorrect information on the daily target on July 11, 2022. Issuing warning letters to the chief and supervisors related to production targets risks workers getting harder pressure from superiors to meet the daily target, and by letting workers work earlier or work during break time to catch up with the target. - All warning letters issued after October 29, 2021, are not signed by the HR Manager, and most of the letters also are not signed by the superior of the employees who received warnings.</p>
<p>Recommendation for Immediate Action</p>	<p>Implement fair and proper disciplinary action by: - Providing workers with the right to appeal the disciplinary action and the ability to have a third party witness during the imposition of disciplinary actions, with records maintained as evidence. - Ensuring valid warning letters are signed by the HR Manager and workers' direct superior.</p>
<p>Compliance Classifications</p>	<p>Immediate Action Required</p>
<p>Local Law</p>	<p>N/A</p>
<p>Benchmark ID</p>	<p>ER.7.1</p>
<p>Benchmark Details</p>	<p>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.</p>
<p>Finding Details</p>	<p>The workers are not provided with feedback from superiors on the result of the performance review.</p>

Recommendation for Immediate Action	
Compliance Classifications	Sustainable Improvement Required
Local Law	N/A
Benchmark ID	ER.10.1
Benchmark Details	Employers shall not hire contract/contingent/temporary workers as a means to support continuing business needs on a long-term basis.
Finding Details	<p>1. Based on employment records, around 973 out of 2,668 production workers (36.47% of the workers) are employed under a specified period contract (PKWT), even though they are working permanent jobs in the cutting, sewing, quality control, finishing, and packing departments. The workers are hired with repeated short-period contracts. For instance, a sewing operator signed 1st contract for nearly 4 months from May 18, 2021, to September 3, 2021, 2nd contract for 1 month, 3rd contract for 3 months, 4th contract for 6 months, and 5th contract for 1 month period from July 9, 2022, to August 9, 2022. The factory does not promote contract workers to permanent worker status since April 2021. 2. Around 78 work agreements for specified period contracts (PKWT) made in the period June 15, 2022, to July 13, 2022, have not been registered to the local labor office.</p>
Recommendation for Immediate Action	<p>1. Convert all workers who perform jobs of permanent nature but are currently hired under a PKWT contract to permanent worker status. 2. Register all work agreements for the specified period contract (PKWT) to the local labor office no later than 7 (seven) working days from the signing of the PKWT.</p>
Compliance Classifications	Immediate Action Required
Local Law	Government Regulation No 35 year 2021 Chapter II Article 4 (2) and Article 14 (2)
Benchmark ID	ER.10.2

Benchmark Details	Employers shall not renew contracts for multiple successive short-terms in lieu of providing regular employment.
Finding Details	Please review ER.10.1 for details
Recommendation for Immediate Action	
Compliance Classifications	
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	New workers do not receive written documentation that substantiates all the issues covered in orientation.
Recommendation for Immediate Action	
Compliance Classifications	Sustainable Improvement Required
Local Law	N/A
Freedom Of Association And Collective Bargaining (FOA)	
Benchmark ID	FOA.22
Benchmark Details	Employers shall not impose any sanction on workers organizing or having participated in a strike in accordance with ILO standards and jurisprudence.

Finding Details

The factory provided workers with 5 days off day on September 7 to 11, 2020 due to lower production orders from their buyers. According to the factory, the orders were reduced due to the global Covid-19 pandemic. The factory paid workers' wages but their annual leave was deducted for these 5 days off. The factory announced an annual leave deduction before achieving an agreement with unions. All 3 unions at that time (Serikat Pekerja Nasional /SPN, Serikat Pekerja Sandang –Garteks, and SBTK Sebumi) did not agree on deduction. SPN union strongly does not agree with annual leave deduction until now. Several Bipartite meetings between factory management and union/worker representatives have been conducted to achieve an agreement on annual leave deduction in August 2020, before the 5 days off. Additionally, tripartite meetings between factory management and union representatives which was mediated by the local authorized manpower officer were conducted in September 2020, after the 5 days off. Despite the negotiation was failed for reaching a mutual resolution during the meetings, the Labor mediation officer decided to that the factory can deduct 5 days of annual leave and deduction of annual leave started on November 2020. Factory's decision to deduct 5 days of annual leave for 2020 without a final agreement with the unions triggered SPN union and around 600-700 workers to strike in front of the factory in the period of September 13 to 17, 2021 demanding their right to get back their 5 days year 2020 annual leave. The plan of the strike had been informed by the SPN union to factory management, local labor office, and industrial zone authority more than a week (on August 31, 2021) prior to the strike. However, after the strike, the factory started to take legal action by filling a lawsuit against the SPN union to Industrial Relation Court (PHI) on November 11, 2021 with the contents of claim: To prove that the five-day strike of the SPN union in 2021 is illegal. After several trials in court, the judge decided the claim is not legally grounded and must be declared unacceptable or Niet Ontvankelijke Verklaard on April 4, 2022. The factory then filed 2nd lawsuit on June 14, 2022 but this time against all 16 SPN union representatives for the same case (illegal strike claimed by the factory). According to the factory, the judge on 1st lawsuit does not decide on the subject matter of the disputed lawsuit and the verdict but decides that an error in the persona which is a legal subject in the lawsuit results in a legal defect, that's why the factory filed the 2nd lawsuit to justify the subject matter in the court. Federation SPN union staged a protest in front of the South Korea Embassy in Jakarta on July 11, 2022 to inform the issues to Embassy.

Recommendation for Immediate Action	i) Ensure not to impose any sanction on workers organizing or having participated in a strike in accordance with ILO standards and jurisprudence. ii) Establish a better, clear, and transparent system of worker and management communication that enables workers to consult with and provide input to management. This includes regular meetings between management and union /workers' representatives before any decision is made affecting workers' rights.
Compliance Classifications	Immediate Action Required
Local Law	Decree of the Minister of Manpower and Transmigration No. KEP 232/MEN on Illegal strikes (2003), Article 2 and 3

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 training on how to use fire extinguishers conducted on January 27, 2022 was only for 27 selected workers, not all workers received the training. The last training involving all workers was conducted on February 2, 2021.
Recommendation for Immediate Action	Ensure all workers are trained in fire safety training including training on how to use the fire extinguishers.
Compliance Classifications	Immediate Action Required
Local Law	Decision of Minister of Manpower No. KEP-186/MEN/1999 on Fire Prevention Units at Workplaces (1999), Article 2
Benchmark ID	HSE.5.3
Benchmark Details	Alarm systems shall be regularly tested and evacuation drills shall be undertaken at least annually.

Finding Details	There is no evidence such as photos and attendance list that the factory management level including expatriates is also involved in the fire and evacuation drill.
Recommendation for Immediate Action	Ensure all management level staff including expatriates participate in fire and evacuation drills, and maintain the records as evidence.
Compliance Classifications	Immediate Action Required
Local Law	Decision of Minister of Manpower No. KEP-186/MEN/1999 on Fire Prevention Units at Workplaces (1999), Article 2
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	The factory does not have procedures or post signs of the prohibition on smoking within 15 meters (~50 ft.) of all closed areas.
Recommendation for Immediate Action	Establish procedures and post signs of the prohibition on smoking within 15 meters (~50 ft.) of all closed areas.
Compliance Classifications	Immediate Action Required
Local Law	N/A
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	1. Three emergency lights, one on the stairwell to the 2nd floor of the cutting section, one above the exit door in the fabric warehouse, and one above the exit door in duck-down area, were not functioning when they were tested. 2. All lighted exit signs are off the light when the power goes off.
Recommendation for Immediate Action	1. Ensure all emergency lights are functioning when the power goes off. 2. Ensure all exit signs are lighted even when the power goes off.
Compliance Classifications	Immediate Action Required
Local Law	Regulation of the Minister of Labour No. 7 (1964), Article 13(2 and 4)
Benchmark ID	HSE.5.1.4
Benchmark Details	All applicable, legally required or recommended elements of safe evacuation shall be complied with, including all the following: ensuring aisles/exits are not blocked and that workers are not blocked within their workstations
Finding Details	1. The unloading door is used also as an emergency exit door. There is a risk of an evacuation route through this unloading door obstructed by the truck and unloaded materials. 2. One out of three exit doors in the sewing section is locked 5 minutes before break time while all workers are still working.
Recommendation for Immediate Action	1. Ensure unloading and loading doors are not used as emergency exit doors and provide an emergency push bar exit door on the other side of the area. 2. Ensure all emergency exit doors are not locked when workers are still working inside.
Compliance Classifications	Immediate Action Required
Local Law	Ministerial Decree of Public Works No. 10/KPTS on Technical Security Provisions of Fire Hazard in Buildings and Environment (2000), Annex Chapter I, Article 2.5 and 2.6
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	Inadequate secondary containment for waste oil tanks is stored in hazardous and toxic waste (B3 waste) storage room since the available secondary containment does not have a capacity of at least 110% (one hundred and ten percent) of the total capacity of tanks and/or containers.
Recommendation for Immediate Action	Provide adequate secondary containment for waste oil tanks stored in hazardous and toxic waste (B3 waste) storage rooms.
Compliance Classifications	Immediate Action Required
Local Law	Permen LHK No.12 Year 2020 Article 13 (3)
Benchmark ID	HSE.13
Benchmark Details	All necessary ventilation, plumbing, electrical, noise and lighting services shall be installed and maintained to conform to applicable laws and to prevent or minimize hazardous conditions to workers in the facility.
Finding Details	1. There are no assessments for determining thermal comfort problem areas in duck down and heat seal rooms. 2. The temperature in the duck down room in the middle area reached 38 degrees Celsius and in the heat seal room reached 35 degree Celsius during the visit to the areas at 1.30 pm. There are no adequate fans and or air conditioning in duck down and heat seal rooms. 3. At least 3 electrical cables in sewing line 1 and one cable in the drinking water station room are noticed to be repaired by using electrical tapes, instead of permanently fixed or replaced. 4. There is no cover on the electrical switch panel in the clinic. 5. At least 3 electrical control panels, two main panels and one panel in the canteen, do not have an inner cover. 6. A big box of panels for PABX phones is placed on the wall just a few centimeters above 2 beds in the onsite clinic causing an obstruction and carries risk of crashing for workers' heads when lying down on the bed.

<p>Recommendation for Immediate Action</p>	<p>1. Conduct assessments for determining thermal comfort problem areas in duck down and heat seal rooms. 2. Ensure to provide comfortable temperature up to 30.0 Celsius degree on all working areas; include measures to provide sufficient ventilation, install adequate fans and or air conditioning in duck down, and heat seal rooms. 3. Ensure not to use electrical tapes for permanent fixed of cables' splices or connection. 4. Provide cover on the electrical switch panel in the clinic. 5. Ensure all electrical control panels have an inner cover. 6. Move a big box of panels for PABX phone in the onsite clinic to ensure not obstructing the beds.</p>
<p>Compliance Classifications</p>	<p>Immediate Action Required</p>
<p>Local Law</p>	<p>Ministry of Manpower Decision No. KEP.51/MEN/I999 on Threshold Limit Value of Physical Factors in Workplace (1999), Annex I; Labor Minister Decree No. KEP-75/MEN (2002), Article 2; Government Regulation No. 36 on Building (2005), Article 36</p>
<p>Benchmark ID</p>	<p>HSE.14.1</p>
<p>Benchmark Details</p>	<p>All production machinery, equipment and tools shall be properly guarded and regularly maintained.</p>
<p>Finding Details</p>	<p>1. There is no ladder available for workers to lift up and down canton boxes in the finished goods warehouse. In addition, the stopper or lock on the wheels of the ladder in the fabric warehouse. 2. Around 70% of available needle guards on sewing machines are lifted up by the operators or installed too high. As result, there is a risk of needle prick. In addition, the majority of over-lock and button sew operators do not use the available plastic eye guards on the machines since such safety devices are also in a lifted-up position. 3. Three sewing machines located on the second floor near the laser cutting room are missing the upper pulley guard. 4. LPG gas tank for cooking in the canteen is placed underneath the wood cooking table without concrete wall segregation for the safety of canteen workers in case there is an accidental gas explosion from the LPG tank. 5. The tagging gun is not labeled with an individual user's name as part of a blood-borne pathogen program to prevent the spread of disease.</p>

Recommendation for Immediate Action	1. Provide a ladder with secure handrails in the finished goods warehouse, and ensure all ladders have a function stopper or lock on the wheels. 2. Ensure all machinery safety guards are properly installed and used by workers. 3. Ensure all sewing machines are equipped with upper and lower pulley guards. 4. Place the LPG gas tank for cooking in the canteen behind the concrete wall. 5. Label tagging gun with an individual user's name.
Compliance Classifications	Immediate Action Required
Local Law	Regulation No. PER-01/MEN (1980), Article 12; Regulation No. PER-04/MEN (1985), Article 4; Act No. 1 on Safety (1970), Article 9(1) - (2)
Benchmark ID	HSE.1
Benchmark Details	Employers shall comply with all national laws, regulations and procedures concerning health, safety, and the environment.
Finding Details	1. The hazardous and toxic waste is stored in a room which is located outside of the production building. This room is not fully secured with a complete wall up to the ceiling. As result, the rainwater easily comes to this waste storage room. 2. There are 2 holes on the floor near the hand washing station in toilet areas risking workers' foot stuck in the hole and/or risk of falling when they are not cautious while walking.
Recommendation for Immediate Action	1. Install a complete wall up to the ceiling to prevent hazardous and toxic waste exposed to rainwater. 2. Ensure there are no holes on the walking areas of workers in the toilets.
Compliance Classifications	Immediate Action Required
Local Law	Permen LHK No.12 Year 2020 Article 11 (2c) and Article 13 (2e); Regulation No. PER-01/MEN (1980), Article 5(1)
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 for using machine safety guards are not displayed or posted near machinery.
Recommendation for Immediate Action	Post visible safety instructions for using the available machine safety guards near each piece of machinery.
Compliance Classifications	Immediate Action Required
Local Law	Act No. 1 on Safety (1970), Article 9(1) - (2)
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	1. There are no Material Safety Data Sheets (MSDS) posted for ink and chemical named Isophorone Diamine; in the temporary printing room on the 2nd floor, next to the laser printing room. 2. MSDS for Ethyl Alcohol in the chemical room is available only in English, not in local language, Bahasa Indonesia.
Recommendation for Immediate Action	Post MSDS in Indonesia language for all chemicals used and stored, and ensure MSDS is accessible for workers to read.
Compliance Classifications	Immediate Action Required
Local Law	Decision of the Minister of Labor No.187 on Hazardous Chemicals Control at Work (1999), Article 6
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. There is no replacement of broken safety shoes for 22 mechanics. As result, the majority of mechanics wear their own casual shoes instead of safety shoes. 2. There is a hole on the finger side of the mesh metal cutting glove used by 1 out of 6 cutting operators. 3. The respirator available in the chemical storage room is not kept in a plastic zip-lock to prevent dust. 4. There is no PPE storage box available in the utility area. As result, the available PPEs such as goggles, gloves, and earmuffs for maintenance workers could not be easily found when needed.
Recommendation for Immediate Action	1. Provide new safety shoes when they are damaged. 2. Provide new mesh metal cutting gloves to cutting operators that have defects/broken gloves. 3. Store respirators in a plastic zip lock to prevent dust, and ensure to record the usage duration. 4. Provide a PPE storage box in the utility area and ensure that workers have sufficient information how to replace PPEs when they need it.
Compliance Classifications	Immediate Action Required
Local Law	Act No. 1 on Safety (1970), Article 14(c); Regulation No. PER-08/MEN/VII on Personal Protective Equipment (2010), Article 7 and 8
Benchmark ID	HSE.8
Benchmark Details	Workers shall be provided with training on the use and maintenance of personal protective equipment. Training shall be upon hire with periodic refresher training offered to all workers. Management will ensure use of PPE as necessary.
Finding Details	The factory does not provide training to all workers regarding PPE usage and maintenance, since only 116 out of 2,668 workers received PPE training in the past 12 months.

Recommendation for Immediate Action	Provide training to all workers regarding the use, maintenance and storage of PPEs.
Compliance Classifications	Immediate Action Required
Local Law	Act No. 1 on Safety (1970), Article 14(c); Regulation No. PER-08/MEN/VII on Personal Protective Equipment (2010), Article 7
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	There is no training work in heights in the past 2 years. The last training was on August 22, 2019 for 7 mechanics.
Recommendation for Immediate Action	Conduct regular training on work in heights for maintenance workers, general workers and mechanics.
Compliance Classifications	Immediate Action Required
Local Law	Act No. 1 on Safety (1970), Article 9(3)
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	Ergonomic practice at the factory is not adequate since: - There is no anti-fatigue mat provided for around 50% of workers who work in a standing position during performing their job. - Most seating provided for workers was not able to be adjusted for the back contour of related workers and adjusted for its high and low position to accommodate related workers' body posture against the working table or working surface. - The factory does not have a program to reduce stress and prevent muscle tension, such as stretching program.

Recommendation for Immediate Action	Implement ergonomic practice adequately by - Providing anti-fatigue mats for all workers who work in standing positions. - Provide seating facilities that can be adjusted for the back contour of related workers and adjusted for their high and low position to accommodate related workers' body posture against the working table or working surface. - Establish a regular program for preventing ergonomic health problems i.e. stretching program.
Compliance Classifications	Immediate Action Required
Local Law	Regulation of the Minister of Labour No. 7 (1964), Article 9(1) - (2); Manpower Minister Regulation No 7 Year 64 Article 9.4.

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	Please review C.7.
Recommendation for Immediate Action	
Compliance Classifications	
Local Law	
Benchmark ID	HOW.12.2
Benchmark Details	The time at which annual leave is taken is determined by employers in consultation with workers, taking into account work requirements and the opportunities for rest and relaxation available to workers.
Finding Details	Please review C.1.1 for details

Recommendation for Immediate Action	
Compliance Classifications	
Local Law	
Nondiscrimination (ND)	
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	Based on a notice posted in the main security post, the factory was looking for 45 new operators, and security guards are required to help to check the required documents of applicants including a maximum age requirement of 31 years old. Based on the statement of security guards, the notice was posted for the previous week's recruitment of new workers.
Recommendation for Immediate Action	Ensure recruitment and employment decisions are 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, and practices shall be free from any type of discriminatory bias.
Compliance Classifications	Immediate Action Required
Local Law	Law No. 13 on Manpower (2003), Article 5

