

Fair Labor Association: Independent External Factory Assessment

Assessment Date :

23 Sep 2022



Factory Information

FLA Affiliates	adidas
Country	India
Number of Workers	709

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)	2
Employment Relationship (ER)	11
Freedom Of Association And Collective Bargaining (FOA)	1
Harassment Or Abuse (H/A)	1
Health, Safety And Environment (HSE)	13
Hours Of Work (HOW)	3

Assessment Information

Assessor	InSync Global
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Assessment Date	23 Sep 2022
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Assessment Purpose	Factory Assessment (In-Person)
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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	1. The factory does not obtain written consent from workers for deductions made from workers' wages towards transport and meal service provided. These deductions are not legally mandated. 2. Regardless of the number of days that workers use the transport and meal services, the costs are deducted from wages for workers who opted to use these services. 3. Attendance and leave records are not maintained with a calculation sheet for termination payouts. As a result, the accuracy of the factory's calculation of payouts cannot be verified easily. For this assessment, it took time for the factory to arrange documents and make them available for verification.
Recommendation for Immediate Action	
Compliance Classifications	Sustainable Improvement Required
Local Law	
Benchmark ID	C.21.1
Benchmark Details	Employers shall provide all legally mandated benefits, including holidays, leave, bonuses, severance payments and 13th month payments to all eligible workers within legally defined time periods.

Finding Details	As a systematic practice, regardless of the date of resignation, the factory makes termination payouts along with its normal wage payments in the next month following the pay period when the worker resigns. E.g. A normal pay period is the first day through the last day of a month. If a worker resigns in June, the payout is made in July. E,g - A worker resigns during June and receives the payout on July 7. Another worker resigns on 10th July and receives the payout on August 7. The practice does not comply with legally defined timelines for payment of terminal dues.
Recommendation for Immediate Action	Terminal dues should be paid within legally provided timelines
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.

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	Grievances reported verbally or in writing are only documented and logged along with information of actions taken when they are related to "Harassment & Abuse." Other written grievances that are not related to "Harassment and Abuse" are not documented at all. This could be a risk of grievances not being addressed. The assessment's review of written grievances that were not logged found that they included issues of production concerns such as work pressure. Management stated that such concerns are verbally addressed and hence not logged. The log of grievances pertaining to "Harassment and Abuse" that were documented reflected 3 concerns in past 12 months which pertained to (1) quarrels between workers, (2) complaints against the doctor by the nurse for abusing the nurse (under investigation during assessment period) and (3) complaint by a worker for being scolded by section in charge for delaying production. There is no information on details of events resulting in grievances reported, root cause analysis and the log is not signed by the management representative who addressed the grievance.
Recommendation for Immediate Action	Ensure all grievances reported are logged.
Compliance Classifications	Immediate Action Required
Local Law	No legal reference.
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	Abstracts of Acts and a list of approved holidays are not posted in the factory.
Recommendation for Immediate Action	Abstracts of Acts and list of approved holidays should be posted in the factory.
Compliance Classifications	Immediate Action Required

Local Law	<p>Minimum Wages Central Rules 1950 - rule 22: Notices in {Form IX-A} containing the minimum rates of wages fixed together with {abstracts of} the Act, the rules made thereunder and the name and address of the Inspector shall be displayed in English and in a language understood by the majority of the workers in the employment at the main entrances to the establishment and at its office and shall be maintained in a clean and legible condition. Such notices shall also be displayed on the notice-boards of all sub-divisional and district offices. Factories Act, 1948- Section 108(1)& (2): In addition to the notices required to be displayed in any factory by or under this Act, there shall be displayed in every factory a notice containing such abstracts of this Act and of the rules made thereunder as may be prescribed and also the name and address of the Inspector and the certifying surgeon.(2) All notices required by or under this Act to be displayed in a factory shall be in English and in a language understood by the majority of the workers in the factory, and shall be displayed at some conspicuous and convenient place at or near the main entrance to the factory, and shall be maintained in a clean and legible condition. Payment of Wages Act, 1936-Section 25: The person responsible for the payment of wages to the person (employed in a factory or an industrial or other establishment) shall cause to be (displayed in such factory or industrial or other establishment) a notice containing such abstracts of this act and of the rules made thereunder in English and in the language of the majority of the persons employed (in the factory, or industrial or other establishment), as may be prescribed. Maternity Act, 1961-section 19: An abstract of the provisions of this act and the rules made thereunder in the language or languages of the locality shall be exhibited in a conspicuous place by the employer in every part of the establishment in which women are employed. Payment of Gratuity Act 1972- Section 20: Display of abstract of the Act and Rules:-The employer shall display an abstract of the Act and the Rules made thereunder 1[as given in Form 'U'] in English and in the language understood by the majority of the employees at conspicuous place at or near the main entrance of the establishment. The Industrial Employment (Standing Orders) rules, 1946- Item 5 of schedule 1: Publication of holidays and pay-days— Notices specifying (a) the days observed by the establishment as holidays, and (b) pay-days shall be pasted on the said notice-boards.</p>
Benchmark ID	ER.18.2

Benchmark Details	Employers shall ensure managers and supervisors are fully familiar with the workplace disciplinary system and in applying appropriate disciplinary practices.
Finding Details	Some awareness is provided to Managers and Supervisors on the Disciplinary system, but they are not fully aware.
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	1. The written procedure on grievance systems does not include the requirement to document all grievances reported using available channels, root cause analysis and communication to workers. 2. The factory has not formed a Grievance Handling Committee as legally required. 3. Representatives of workers are not present when GM's box (Grievance box) is opened by GM's designated staff. This could be a risk of unfair practices of concealing grievances reported.
Recommendation for Immediate Action	
Compliance Classifications	Sustainable Improvement Required

Local Law	Industrial Disputes Act 1947- Section 9C (1): Setting up of Grievance Redressal Machinery: Every industrial establishment employing twenty or more workmen shall have one or more Grievance Redressal Committee for the resolution of disputes arising out of individual grievances.
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	1. The written procedures on Recruitment and Hiring do not require periodic training of the responsible person or maintaining and updating documentation. 2. Factory does not have written procedures on non-discrimination. 3. Factory does not have written procedures on Forced Labour 4. Procedures on Child labor do not list the documents that will be accepted as proof of age, assign a responsible person(s) and require him/her to be trained, or maintain and updating documentation. 4. Factory does not have written policies and procedures for Retrenchment. Written procedures for Termination do not provide information on terminal dues, calculation of dues, timelines for payment and mode of payment. Resignation and termination are considered separate events with Termination being referred to as dismissal for misconduct. There is no information on person(s) responsible for termination, training and requirement of maintaining documentation. 5. Written procedures on compensation do not provide information on pay period, mode of payment, or timelines for payment. It does not provide information on deductions that will be made from wages. 6. Job description does not include information on reporting person (Supervisor / Manager) and the requirement of maintaining documents related with the job.
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	Factory does not have written policies and procedures on personnel development that encourage ongoing training with the goal of raising or broadening workers' skills so they can advance in their careers
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. Written procedures for promotion do not include requirement of sharing feedback of performance evaluation with workers, periodic training of responsible evaluator and communication to workers on criteria of evaluation. 2. Upon hiring, workers are paid wages of the unskilled category. Post-completion of 1st month, performance is evaluated, and wages are revised as per skill levels. Evaluation of performance is reviewed when workers are considered for promotions to assistant supervisor. Vacancies are notified to workers. Those wishing to be promoted apply and the performance of these workers is evaluated.

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 procedures for demotions and job reassignment.
Recommendation for Immediate Action	
Compliance Classifications	Sustainable Improvement Required
Local Law	
Benchmark ID	ER.19.1
Benchmark Details	Employers shall maintain on file all documentation needed to demonstrate compliance with the FLA Workplace Code and required laws.

Finding Details	<p>1. The letter to confirm employment after the completion of the probation period is not signed by 2 out of 35 sampled workers to acknowledge receipt. 2. Letter of appointment (Employment contract) is missing from files for 4 out of 35 sampled workers although the letter of confirmation of employment is signed and filed. 3. Letter to confirm employment post completion of 3 months of probation is missing for 4 out of 35 sampled workers. 4. Letter confirming employment post completion of probation period is not provided to workers and are maintained on the individual file of workers. 5. Appointment letter signed with workers defines the wages payable however no information is provided on amounts that will be deducted from wages towards legally mandated benefits and services provided. Apart from legally mandated deductions, cost of transport and meals is deducted from wages of workers. 6. Nomination forms for payment of legally mandated benefits like provident fund, employees state insurance and gratuity are not obtained and filed in individual file of workers. 7. Service records are not maintained in individual file of workers</p>
Recommendation for Immediate Action	<p>1. Ensure that letter provided to workers confirming employment after the completion of the probation period is signed by workers to acknowledge receipt. 2. Ensure letter of appointment (Employment contract) is maintained for all workers. 3. Ensure letter to confirm employment post completion of 3 months of probation is maintained for all workers. 4. Provide letter confirming employment post completion of probation period to workers and maintained on the individual file of workers. 5. Provide information in appointment letter signed with workers on all deductions that will be made from wages. 6. Maintain nomination forms for payment of legally mandated benefits like provident fund, employees state insurance and gratuity on individual file of workers. 7. Maintain service records in individual file of workers</p>
Compliance Classifications	Immediate Action Required

Local Law	<p>1.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. 2. Employee State Insurance Act 1948- Section 71- Benefit payable up to and including day of death: If a person dies during any period for which he is entitled to a cash benefit under this Act, the amount of such benefit up to and including the day of his death shall be paid to any person nominated by the deceased person in writing in such form as may be specified in the regulations or, if there is no such nomination, to the heir or legal representative of the deceased person. Employee Provident Fund Scheme 1952- Rule 61- Each member shall make in his declaration in Form 2, a nomination conferring the right to receive the amount that may stand to his credit in the Fund in the event of his death before the amount standing to his credit has become payable, or where the amount has become payable, before payment has been made. Payment of Gratuity Act, 1972-Section 6- Each employee, who has completed one year of service, shall make, within such time, in such form and in such manner, as may be prescribed, nomination for the purpose of the second proviso to sub-section (1) of section 4. 3. Industrial Employment (standing orders) rules 1946- Form V- appended to Schedule 1-B: Service Card: Every industrial establishment shall maintain a service card in respect of each workman in the form appended to these orders, wherein particulars of that workman shall be recorded with the knowledge of that workman and duly attested by an officer authorized in this behalf together with date.</p>
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	<p>1. Factory does not have a policy for periodic review of written policies and procedures. As stated by management, these are reviewed annually. The assessment's review of written policies and procedures revealed that policies and procedures for New worker training, Termination, Employee background verification, SOPs for supervisor training, Non Discrimination, SOPs for uniform and Identity cards, Formation of worker committees, Non Retaliation, Procedures for rehiring old workers, Payment of Gratuity, Hiring of Migrant workers and special categories of workers, Prevention of Harassment, Payment of Bonuses, Job rotation, Emergency preparedness plans, SOPs for promotion and demotion, Internal Recruitment, Freedom of Association and Collective Bargaining, SOPs for payroll processing and Exit interview were not reviewed at all. Most of them did not have a date when they were drafted. Written policies and procedures that were reviewed on annual basis were on Disciplinary practices, Production bonus, Attendance management, Child Labour and Remediation policy and Working hours. 2. Workers are not consulted or integrated in the decision-making process of aspects concerning workplace and working conditions (e.g., creation or revision of policies and procedures, changes on production processes, hours of work, etc.</p>
Recommendation for Immediate Action	
Compliance Classifications	Sustainable Improvement 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 written documentation that substantiates all the issues covered in orientation.
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	1. The factory does not maintain documentation pertaining to the election and formation of the worker committee. 2. The factory does not have written procedures on Freedom of Association and Collective Bargaining.
Recommendation for Immediate Action	
Compliance Classifications	Sustainable Improvement Required
Local Law	
Harassment Or Abuse (H/A)	
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 penal consequences for harassment at the workplace are not posted as legally required. 2. Meetings of the Internal Complaints Committee were not conducted between August 2020 and July 2022 while meetings of other committees like Health and Safety were conducted periodically during the same period.
Recommendation for Immediate Action	1. Penal consequences for harassment at the workplace should be posted. 2. Meetings of the Internal Complaints Committee should be conducted periodically.
Compliance Classifications	Immediate Action Required
Local Law	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.

Health, Safety And Environment (HSE)

Benchmark ID	HSE.5.3
Benchmark Details	Alarm systems shall be regularly tested and evacuation drills shall be undertaken at least annually.
Finding Details	1. Pictures from drills filed with logs are similar to drills conducted in September 2022, May 2022, and March 2022. 2. Drills are conducted close to the end of shifts and not at different times during the shift.
Recommendation for Immediate Action	1. Maintain accurate pictures for drills conducted. 2. Conduct drills at different work hours during the shift.
Compliance Classifications	Immediate Action Required
Local Law	No legal reference.
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 main exit doors are pull-up shutter doors that are mechanically operated. There is no locking arrangement on these doors. In case of strong winds, the possibility of the shutters partially closing cannot be ruled out which may be a risk in case of an emergency evacuation process. 2. Play areas are not provided. On the days of the assessment, there were no children in the childcare room. Management and workers interviewed stated that workers prefer to keep their young children at home under the care of elders instead of bringing them to the factory.
Recommendation for Immediate Action	1. It is recommended to have exit doors open outwards. 2. It is recommended to provide all facilities in the childcare room.
Compliance Classifications	Immediate Action Required
Local Law	1. The Tamil Nadu Factories Rules 1050 Rule 61. Fire protection-(9) Fire exits - (u) Exit doorways shall open outwards, that is, away from the room but shall not obstruct the travel along any exit. No door when opened shall reduce the required width of stairway or landing to less than 90 cm overhead or sliding doors shall not be installed for this purpose. 2. The Tamil Nadu Factories Rules 1050 Rule 73- Crèche - (8) A suitably fenced and shady open-air playground shall be provided for the older children.
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 drill to learn how to improve the evacuation process.

Recommendation for Immediate Action	
Compliance Classifications	Sustainable Improvement Required
Local Law	
Benchmark ID	HSE.5.1.4
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	The assessment noted that in stitching areas, workers are sitting adjacent to each other and in some instances, workers were sitting at right angles to each other with restricted space to turn around and access passages behind them. Such arrangements may be a risk for injury during an emergency evacuation process.
Recommendation for Immediate Action	Adequate space should be maintained for workers to move freely and exit easily in case of an emergency.
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.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. Hand dryers are not provided in toilets. 2. Food is not prepared in the factory. It is prepared by an external caterer and served in the dining area. A sample of food is not kept for observation.

Recommendation for Immediate Action	1. Hand dryers should be provided in toilets. 2. It is recommended to keep food samples to prevent food born illnesses.
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 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. Factory uses an outsourced transport service (bus) for transportation of workers. These buses are inspected on a monthly basis, but reports are not signed by management and the bus owners/ drivers to acknowledge findings. Reports are maintained in the computer and shared with bus owners via email. There could be a risk of findings not being communicated due to non-receipt of mail resulting in findings not being addressed. 2. Traffic lanes and walk paths are not marked inside the factory. 3. Hydraulic lace-holing machines do not have any arrangement for protecting against injury to the fingers of machine operators when the machine is operated. 4. Factory does not use LOTO arrangement at all.
Recommendation for Immediate Action	1. It is recommended to have vehicle inspection reports signed by vehicle owners to ensure communication and monitor the implementation of required action. 2. Traffic lanes and walk paths should be marked inside the factory to ensure safe driving practices. 3. Appropriate arrangements should be made to protect workers from injury while operating hole-making machines. 4. Factory should implement the LOTO arrangement.
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 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. 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. Factories Act, 1948- Section 24 (3)- When a device, which can inadvertently shift from "off" to "on" position, is provided in a factory to cut off power, arrangements shall be provided for locking the device in safe position to prevent accidental starting of the transmission machinery or other machines to which the device is fitted.
Benchmark ID	HSE.6.1
Benchmark Details	All safety and medical equipment (e.g. fire fighting equipment, first aid kits) shall be available in sufficient numbers throughout the workplace, maintained and stocked as prescribed, and easily accessible to workers.
Finding Details	The factory's fire fighting team does not have PPE such as breathing apparatus, safety shoes, hand gloves and eye shields.
Recommendation for Immediate Action	It is recommended to provide PPEs like breathing apparatus, safety shoes, hand gloves and eye shields to the firefighting team in the factory
Compliance Classifications	Immediate Action Required
Local Law	Factories Act, 1948- Section 38 (1) (b): 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 the necessary equipment and facilities for extinguishing fire.
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. Access to the waste storage area is not restricted. 2. Used oil barrels are stored in the open. All waste material is stored with access not restricted. 3. The evacuation plans posted near exits do not match with floor layout. 4. Sanitary pads are kept with nurse and not made available in female toilets. 5. Smoke detectors are not installed in Electric panel room. 6. Date of trainings conducted is not recorded in documents pertaining to trainings. 7. Feedback forms are completed reflecting positive feedback for all trainings by each worker, but workers have not signed the forms. 8. Pictures from training on KPIs (key performance indicators) for supervisors on Nov 21, 2021, and for maintenance daily cleaning on Nov 10, 2021, are similar. The ppt slide used in the trainings reads "Beautiful sports product Audit". In another instance pictures from Environmental Management system and Hand arm vibration syndrome are similar. Date of trainings is not recorded
Recommendation for Immediate Action	1. Access to waste storage area should be restricted. 2.Used oil barrels should be stored in a secured place and access should be restricted for all waste material stored in the factory. 3.Evacuation plans posted should match with floor layout. 4. Sanitary pads should be made available in female toilets. 5. Smoke detectors should be installed in Electric panel room. 6. Date of trainings conducted should be recorded in documents pertaining to trainings. 7. Feedback forms should be signed by workers who attend trainings. 8. Accurate and complete documentation should be maintained for trainings conducted.
Compliance Classifications	Immediate Action Required

Local Law	<p>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</p> <p>2. 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> <p>3. 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.</p> <p>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> <p>5. 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.</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	Factory does not provide safety information to contractors.
Recommendation for Immediate Action	Factory should provide safety information to contractors.
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	1. Opening to a confined space (underground water tank) is partially covered. There is no fence installed around it and warning signs are not posted near the area to warn workers. 2. Factory does not have written procedures for entering confined spaces
Recommendation for Immediate Action	1. Fencing and warning signs should be posted near confined spaces. 2. Factory should have written procedures for entering confined spaces.
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 36 (2) (b): 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 such person is wearing suitable breathing apparatus and a belt securely attached to a rope the free end of which is held by a person outside the confined space.
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	Factory does not conduct a risk assessment. It does, however, conduct assessments for health hazards at the workplace which identifies hazards and control measures.

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. Finger gloves are not provided to workers who operate buffing machines to prevent injury to fingers from stone that rotates at high speed. 2.Factory does not have a procedure for the inspection and maintenance of fall equipment like helmets and safety ropes.
Recommendation for Immediate Action	1. Finger gloves should be provided to workers who operate buffing machine to prevent injury to fingers from stone that rotates at high speed. 2.Factory should have a procedure for inspection and maintenance of fall safety equipment like helmets and safety ropes.
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 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.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. Sitting areas are not provided for workers with standing jobs. 2. Workstations are not adjustable in height. 3. Anti-fatigue mats are not provided to workers with standing jobs in packing sections and board-making sections. 4. Workers with sitting jobs sit on hard wooden chairs. This could cause bodily injury.
Recommendation for Immediate Action	1. Sitting areas should be provided for workers with standing jobs. 2. Workstations should be adjustable in height to suit the height of workers 3. Anti-fatigue mats should be provided to workers with standing jobs in packing sections and board-making sections. 4. Appropriate arrangements should be made for workers with sitting jobs to reduce bodily injury.
Compliance Classifications	Immediate Action Required
Local Law	1. 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. 2. 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. 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. 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.

Hours Of Work (HOW)

Benchmark ID	HOW.1.1
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Benchmark Details	Employers shall comply with all national laws, regulations and procedures concerning hours of work, public holidays and leave.
Finding Details	1. A review of time cards revealed that workers work overtime as a regular practice. 2. The factory does not obtain written consent from workers prior to working overtime. Workers had no complaints. 3. As a systematic practice, all workers work 1.5 hours of overtime daily on most days every month. If a worker wishes not to work overtime, he/she can leave and will need to make their own transport arrangements like using public transport and paying for it. Factory-provided buses are available post-completion of the overtime hours. With this practice, workers end up paying an additional amount for their return home even though the monthly cost of transport is deducted from wages. This additional cost may be a risk of workers working overtime and earning for overtime hours worked against incurring an additional cost with no earnings.
Recommendation for Immediate Action	1. Workers should not be required to work overtime as a systematic practice on daily basis. 2. It is recommended to obtain written consent from workers prior to working overtime. 3. Provide adequate transport arrangements for workers who do not work overtime and wish to leave post completion of regular working hours.
Compliance Classifications	Immediate Action Required
Local Law	No legal reference.
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 written procedures on Hours of Work do not provide information on the responsible person and documentation that will be maintained.
Recommendation for Immediate Action	

Compliance Classifications	Sustainable Improvement Required
Local Law	
Benchmark ID	HOW.9.2
Benchmark Details	Employers shall take reasonable steps to inform workers about the nature and expected duration of the circumstances sufficiently in advance to allow workers to make alternative plans.
Finding Details	Workers are notified at lunchtime of the overtime requirements for the day, rather than at the beginning of the shift.
Recommendation for Immediate Action	Notify workers of overtime requirements prior to start of shift.
Compliance Classifications	Immediate Action Required
Local Law	

