

# Fair Labor Association: Independent External Factory Assessment

Assessment Date :

**19 Sep 2022**



## Factory Information

FLA Affiliates	The s. Oliver Group
Country	Turkey
Number of Workers	505

## Understanding this Report

Companies that join the FLA agree to uphold the FLA Workplace Code of Conduct throughout their entire supply chain. The Code of Conduct is based on International Labour Organization (ILO) standards, and defines labor standards that aim to achieve decent and humane working conditions.

## FLA Code Element

## Number of Violations

Compensation (C)	5
Employment Relationship (ER)	16
Forced Labor (F)	1
Harassment Or Abuse (H/A)	2
Health, Safety And Environment (HSE)	16
Hours Of Work (HOW)	6
Nondiscrimination (ND)	2

## Assessment Information

Assessor	Sinan Doven
Assessment Date	19 Sep 2022
Assessment Purpose	

## ASSESSMENT RESULTS

### Compensation (C)

Benchmark ID	C.23
Benchmark Details	Where compensation for a regular workweek is not sufficient to meet workers' basic needs* and provide some discretionary income*, each employer shall work with the FLA to take appropriate actions that seek to progressively realize a level of compensation that does.
Finding Details	The factory does not work with the FLA to take appropriate actions to seek to progressively realize a level of compensation that does.
Recommendation for Immediate Action	The factory shall work with the FLA to take appropriate actions to seek to progressively realize a level of compensation that does.
Compliance Classifications	Immediate Action Required
Local Law	IN Regards to FLA Code - Compensation
Benchmark ID	C.25.2.1
Benchmark Details	Advances must be properly documented and their receipt and accuracy must be confirmed by the relevant worker in writing (e.g. signature, thumbprint).
Finding Details	It was noted that ISKUR (Vocational Training Center) workers do not get pay slips.
Recommendation for Immediate Action	It is recommended that factory should provide pay slips to all workers.
Compliance Classifications	Immediate Action Required

Local Law	In accordance with Turkish Labour Law # 4857 / 2003, ARTICLE 37 and FLA Workplace CoC C.15.1
Benchmark ID	C.9.3
Benchmark Details	Employees shall be compensated for overtime hours at such premium rate as is legally required in the producing country
Finding Details	1. It was noted that ISKUR weekdays and Saturday overtime remunerations were under the local law as the premium rates for any additional hours were less than 150% of the hourly rate. 2. The factory does not pay the general holiday remuneration of the ISKUR workers.
Recommendation for Immediate Action	1. It is recommended that factory shall be compensated for overtime hours at such premium rate as is legally required in the producing country.
Compliance Classifications	Immediate Action Required
Local Law	In accordance with the Turkish Labour Law # 4857 / 2003, ARTICLE 41 and FLA Workplace CoC C.9.2
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	It was noted that severance payment does not include meal and transportation allowance.
Recommendation for Immediate Action	It is recommended that meal and transportation allowance should be included in the severance payments.
Compliance Classifications	Immediate Action Required
Local Law	In accordance with the Turkish Labor Law, 2003, No: 4857, Art 32 and FLA Workplace CoC ER.15.3

Benchmark ID	C.2
Benchmark Details	Employers shall pay workers at least the legal minimum wage or the prevailing industry wage, whichever is higher, for regular working hours (not including overtime). Workers should also be informed about the legal minimum wage.
Finding Details	The factory has negotiated with Kızılay (Turkish Red Crescent) to obtain 18 workers from there with a protocol. These workers would be paid 83 TL (Turkish Lira) by the factory per working day and Kızılay would be paying 100 TL to the factory per worker which makes total of 183 TL per worker per day. These workers are not protected by state's social security system and as the holidays are not paid, these worker's monthly wages stands at 4758 TL which is below the monthly minimum wage. Moreover, 102 ISKUR (Vocational Training Center) Vocational training workers social security are covered by the State and as they also receive payment on working days only, their wages are also below the minimum wage.
Recommendation for Immediate Action	It is recommended that pay workers at least the legal minimum wage or the prevailing industry wage, whichever is higher, for regular working hours (not including overtime). Workers should also be informed about the legal minimum wage.
Compliance Classifications	Immediate Action Required
Local Law	In accordance with minimum wage regulation (01.08.2004) No:25540 Art 12 and FLA Workplace CoC C.2

## 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	1. Factory does not have procedures to track the number, types, timing and resolution of grievances, and to communicate the resolution of grievances to the workforce. 2. It was noted that grievance system is not effective at the facility. Grievance boxes are opened without worker representatives' present and verbal grievances are not registered. 3. 50% of the interviewed workers are not aware of who the worker representatives are.
Recommendation for Immediate Action	1. The factory should proper grievance system by tracking them in types, timing, resolutions and communications with the workforce. 2. It is recommended that factory should create an effective grievance system. 3. The workers should be aware of worker representatives at the factory.
Compliance Classifications	Immediate Action Required
Local Law	In accordance with FLA Workplace CoC ER.17
Benchmark ID	ER.11.2
Benchmark Details	Employers must ensure the following minimum terms and conditions are met in the employment of contract/contingent/migrant/temporary workers: Contract/contingent/migrant/temporary workers shall be provided an employment agreement in their native language setting out the employment terms and conditions. for migrant workers, a copy of their employment contract in their native language shall be provided prior to departure from their country of origin;
Finding Details	It was noted that totally 18 temporary workers (Kızılay Toplum Merkezi) do not have an employment contracts. (9 out of 18 are migrant)
Recommendation for Immediate Action	It is recommended that factory should prepare employment contracts with all workers.
Compliance Classifications	Immediate Action Required
Local Law	In accordance with Turkish Labor Law # 4857 / 2003, ARTICLE 8- and FLA Workplace CoC ER.11.1

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	Factory does not provide any ongoing training to workers on all FLA's Code elements and Employment Functions. In addition, it was noted that CSR Responsible duties were not defined in written form.
Recommendation for Immediate Action	
Compliance Classifications	Sustainable Improvement Required
Local Law	
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	1. It was noted that a total of 18 temporary workers (Kızılay Toplum Merkezi) are not registered for social security. 2. It was noted that there is no health examination for the temporary workers. 3. It was noted that in total, 9 migrant temporary workers (Kızılay Toplum Merkezi) do not have permission to work from the government.



Recommendation for Immediate Action	1. It is recommended that factory should 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.
Compliance Classifications	Immediate Action Required
Local Law	In accordance with Local Laws: Foreign employees - Right to work Law On Work Permits Of Foreigners (6/3/2003) No: 25040 Art 4-5-6, Social insurance and General Health Insurance Law # 5510 art 7,8 and Occupational Health and Safety Law No: 6331, Date: 30.06.2012 Art. 15 – (1) and FLA Workplace CoC ER.11
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	It was noted that supervisors are not trained in national laws, workplace regulations, the FLA Code, workplace grievance systems, and the appropriate practices to ensure compliance.
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	The factory has procedures on recruitment and hiring; however, these procedures are not detailed and do not cover all of the steps related to hiring, such as: hiring decisions, selection criteria, type of information requested from candidates during interviews, etc. The factory also does not have policies and procedures governing all aspects of termination and retrenchment.
Recommendation for Immediate Action	
Compliance Classifications	Sustainable Improvement Required
Local Law	In accordance with FLA Workplace CoC ER.1.1
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 on recruitment and hiring of contract/contingent/temporary workers
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 has personnel development and promotions procedures, however these procedures are not detailed.
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	The factory does not have policies and procedures on performance reviews that include steps and processes, linkages to job grading, nondiscrimination, written feedback, and compliance with legal requirement. The factory does not conduct performance reviews for any workers.
Recommendation for Immediate Action	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.
Compliance Classifications	Sustainable Improvement Required
Local Law	FLA Workplace CoC ER.7.1

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 has procedures on promotion, demotion and job reassignment, however it is not detailed.
Recommendation for Immediate Action	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.
Compliance Classifications	Sustainable Improvement Required
Local Law	FLA Workplace CoC ER 8
Benchmark ID	ER.9.1
Benchmark Details	Employers shall hire contract/contingent/temporary workers only if such hiring is consistent with the national law of the country of production.
Finding Details	It was noted that ISKUR workers are working like other workers (daily 9 hours of 5 days) in contradiction of their contract (7.5 hours x 6 days) and they work overtime when needed. Overtime remunerations of the ISKUR workers paid by cash (unofficially).
Recommendation for Immediate Action	It is recommended that ISKUR workers should work in accordance their protocols and not to work overtime.
Compliance Classifications	Immediate Action Required

Local Law	In accordance with Active Workforce Regulation, 12.03.2013, No: 28585, Art. 29 and FLA Workplace CoC ER.9.1
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	Factory do not provide regular communication to workers on all FLA's Code elements and Employment Functions, It was noted that FLA poster was not posted.
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. FLA-affiliated company written workplace standards was not available to workers, managers and supervisors, 2. It was noted that there are 2 different business license that cover 9084 sqm while the total closed area 12149 sqm. 3. It was noted that the employment contract contradicts the law in the following ways. a. The employment contract defines full time and undefined term however article 2 indicates that 'employer can change to the part time and defined term if needed.' b. Article 3 indicates that 'workers can be transferred and appointed to anywhere inside Turkey when needed. Worker shall start the date after notification.' c. Article 4 indicates that 'worker shall do every duty given by the employer' Specific job definitions were not defined in the contracts. d. Article 9 indicates that 'workers accept to use in advance leisure time instead of overtime remuneration' Overtime premium rates were not defined on the contracts. e. Article 11 indicates that 'workers accept in advance to work on general holidays. Employer can take action of 'unauthorized absenteeism' if the worker does not come to work on holiday' 4. It was noted that one copy of the employment contracts is not provided to workers.</p>
Recommendation for Immediate Action	<p>1. It is recommended that factory should maintain on file all documentation needed to demonstrate compliance with the FLA Workplace Code and required laws. 2. It is recommended that business license should cover all of the workplace. 3. It is recommended that employment contracts should be compliant with local laws. 4. It is recommended that a copy of the contract should be provided to workers.</p>
Compliance Classifications	Immediate Action Required
Local Law	In accordance with Regulation for facility opening and operating permit (10/8/2005), II. Section Art 6 and FLA Workplace CoC ER.19 and ER.11.2.
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	1. It was noted that there are a total of 147 temporary workers for the 5 different programs (Kızılay Toplum Merkezi, IMEP, ISKUR, Denmark Refugee Council, MESEM) at the facility instead of the facility totally using the regular workforce. (Total workforce is 763 including 147 temporary workers) 2. Also, the facility does not follow their working hours protocols for ISKUR and IMEP programs
Recommendation for Immediate Action	1. It is recommended that factory should not use the temporary workforce in place of the regular workforce. 2. It is recommended that the facility should follow the working hours protocols for any temporary workers hired.
Compliance Classifications	Immediate Action Required
Local Law	In accordance with FLA Workplace CoC ER.9.3
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	Orientation Training to new workers that covers all FLA's Code Elements and Employment Functions is not provided.
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	There is no regular review on Factory's policies and procedures on all FLA's Code elements and Employment Functions.
Recommendation for Immediate Action	There should be periodic review of Factory's procedures and policies.
Compliance Classifications	Sustainable Improvement Required
Local Law	FLA Workplace COC ER.1.3

### Forced Labor (F)

Benchmark ID	F.8
Benchmark Details	The imposition of overtime where workers are unable to leave the work premises constitutes forced labor.
Finding Details	1. It was noted through worker interviews that overtime work is mandatory. 2. Workers reported that they do not feel free to take sick leave during the peak season.
Recommendation for Immediate Action	It is recommended that overtime work should be voluntary and that workers should be able to take sick leave at all times, no matter the production demands.
Compliance Classifications	Immediate Action Required
Local Law	In accordance with FLA Workplace CoC HOW.8

### Harassment Or Abuse (H/A)

Benchmark ID	H/A.3
Benchmark Details	Access to food, water, toilets, medical care or health clinics or other basic necessities shall not be used as either reward or as a means to maintain labor discipline.



Finding Details	1. It was noted that workers need to get permission from supervisors to go to the toilets and get drinking water. 2. OT work is mandatory on the factory and it's hard to take sick leave on peak season.
Recommendation for Immediate Action	1. It is recommended that access to food, water, toilets, medical care or health clinics or other basic necessities shall not be used as either reward or as a means to maintain labor discipline. 2. It is recommended that overtime is conducted on voluntary basis and taking sick leave is not restricted.
Compliance Classifications	Immediate Action Required
Local Law	In accordance with FLA Workplace CoC H/A.3
Benchmark ID	H/A.5
Benchmark Details	Employers shall not use any form of verbal violence, including screaming, yelling, or the use of threatening, demeaning, or insulting language, as a means to maintain labor discipline.
Finding Details	It was noted that there is verbal abuse and yelling from the supervisors to workers who refuse to work overtime.
Recommendation for Immediate Action	It is recommended that employers shall not use any form of verbal violence, including screaming, yelling, or the use of threatening, demeaning, or insulting language, as a means to maintain labor discipline.
Compliance Classifications	Immediate Action Required
Local Law	In accordance with FLA Workplace CoC H/A.8
<b>Health, Safety And Environment (HSE)</b>	
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	Emergency action teams were outdated as some of the workers were no longer working in the factory and others assigned were not trained.
Recommendation for Immediate Action	It is recommended that emergency action teams should be updated and trained accordingly.
Compliance Classifications	Immediate Action Required
Local Law	In accordance with Regulation on Emergency Responsibilities at Workplace ,Identification of employees to be appointed Article 11 - (1) and FLA Workplace CoC HSE.6.2
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	1. It was noted that mezzanine floor has only 1 entrance and exit way which is a spiral stair. 2. Also, there is no mark of the emergency ways at the mezzanine floor. (Signs are provided during the audit)
Recommendation for Immediate Action	It is recommended that 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

Compliance Classifications	Immediate Action Required
Local Law	In accordance with In accordance with the Regulation on Protection Of Buildings Against Fire (19.12.2007 ), Art 47, (1), In accordance with the Regulation on Protection Of Buildings Against Fire (19.12.2007), Art 73 (1) and FLA Workplace CoC HSE.5
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	It was noted that 2 emergency exit aisles were fully blocked on warehouse section and 1 workstation in shirt section was blocked by the table for evacuation in case of emergency. (Corrected during the audit)
Recommendation for Immediate Action	It is recommended that 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
Compliance Classifications	Immediate Action Required
Local Law	In accordance with the Regulation on Protection Of Buildings Against Fire (19.12.2007 ), Art 31- (1) and FLA Workplace CoC HSE.5.1.4
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	It was noted that secondary containments was not provided for the chemicals located in the stain removal section. (Corrected during the audit)

Recommendation for Immediate Action	It is recommended that secondary containment should be provided for all liquid chemicals.
Compliance Classifications	Immediate Action Required
Local Law	In accordance with the Turkish Regulation on the Health and Safety Precautions Taken While Working with the Chemical Substances (12.08.2013) No: 28733 Art. 8 - (1) and FLA Workplace CoC HSE.9
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. It was noted that toilet paper and hand towels were not provided in the toilets. 2. It was noted that there is no sample evidence of food.
Recommendation for Immediate Action	1. It is recommended that toilet paper and hand towels should be provided in the toilets. 2. It is recommended that sample evidence of food should be taken.
Compliance Classifications	Immediate Action Required
Local Law	In accordance with Regulation on the Health and Safety Measures Taken For the Buildings and Additions (No: 28710, Date: 17.7.2013) Appendix-I Article 55-56, Regulation on inspection and control of food safety and quality, art 8-j and FLA Workplace CoC HSE.19 and HSE.22
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. It was noted that the lighting assessment was not conducted during night hours. Work occurs during night hours when there is OT work. 2. It was noted that factory does not provide an electricity inspection report.
Recommendation for Immediate Action	1. It is recommended that lighting assessment should be conducted during night hours. 2. It is recommended that an electricity inspection report should be provided.
Compliance Classifications	Immediate Action Required
Local Law	In accordance with Regulation on the Health and Safety Measures Taken For the Buildings and Additions (No: 28710, Date: 17.7.2013) Appendix-I Minimum Health and Safety Requirements for Buildings and Additions Article 22 and 23, In accordance with Turkish Regulation about Occupational Health and Safety circumstances using work equipments (25/04/2013) No: 28628 Addition III - Related Matters for Maintenance, Repairs and Periodical Checks Art 2.3.4 and FLA Workplace CoC HSE.13
Benchmark ID	HSE.14.1
Benchmark Details	All production machinery, equipment and tools shall be properly guarded and regularly maintained.
Finding Details	1. It was noted that there are no needle guards for none of the sewing machines. (Started to correct during the audit) 2. It was noted that 14 lower and 3 upper pulley guards were missing for sewing machines. (Lower pulley guards are corrected during the audit) 3. It was noted that eye guard was not available at grinding machine. 4. It was noted that LPG (liquified petroleum gas) tubes were not connected to prevent them from falling.
Recommendation for Immediate Action	It is recommended that needle guards should be installed to all sewing machines. It is recommended that pulley guards should be installed to all sewing machines It is recommended that eye guard should be installed for grinding machines. It is recommended that LPG tubes should be connected to prevent the falling.
Compliance Classifications	Immediate Action Required

Local Law	In accordance with In accordance with Turkish Regulation about Occupational Health and Safety circumstances using work equipments (25/04/2013) Appendix I Article 2, Occupational Health and Safety Law (6331 , 20/6/12) Article 4 and FLA Workplace CoC HSE.14
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. It was noted that 3 fire extinguishers were fully blocked. 2. Two fire extinguishers were not mounted. 3. Two fire extinguishers were not marked. 4. It was noted that the eye wash with running water was not available at the stain removal section and maintenance room.
Recommendation for Immediate Action	1. It is recommended that fire extinguishers should not be blocked. 2. It is recommended that fire extinguishers should be mounted. 3. It is recommended that fire extinguishers should be marked. 4. It is recommended that eye wash with running water should be installed.
Compliance Classifications	Immediate Action Required
Local Law	In accordance with In accordance with Regulation for the Revision of the Regulation on Protection Of Buildings Against Fire (19/12/2007) No : 26735 Article 99, Turkish Regulation on the Health and Safety Precautions Taken While Working with the Chemical Substances (12.08.2013) No: 28733 Art. 8 - (1) and FLA Workplace CoC HSE.6
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. It was noted that there is a building usage permit for only 1334 square meters while the total closed area 12149 square meters. 2. It was noted that there is only 34 first aid certified employees while the total workforce is 754. 1 first aid worker is needed for every 20 workers. 3. 1 out of 40 sampled regular workers' periodical health examinations have expired. 4. It was noted that there is no emergency lighting at the mezzanine floor that is being used as a warehouse.
Recommendation for Immediate Action	1. It is recommended that building usage permit should be provided for all work area. 2. It is recommended that factory should have necessary number first aid certified employees. (1 first aid certified worker is needed for each 20 workers) 3. It is recommended that health examinations should be conducted periodically 4. It is recommended that emergency lighting should be provided for all areas.
Compliance Classifications	Immediate Action Required
Local Law	In accordance with Construction Zoning Law (No: 3194) (03/05/1985), Article 30, First-aid Regulation (29.07.2015), No : 29429 Obligatory first-aid trained employee employment. Art 19 - (1), Occupational Health and Safety Law No: 6331, Date: 30.06.2012 Art. 15 - (1) and In accordance with the Regulation on Protection Of Buildings Against Fire (19.12.2007), Art 71 (1) and Art 72. and FLA Workplace CoC HSE.5.1.3, HSE.6.2 and ND.10
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	It was noted that MSDS form were not available for 3 out of 7 chemicals and only 1 MSDS were posted.

Recommendation for Immediate Action	It is recommended that 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.
Compliance Classifications	Immediate Action Required
Local Law	In accordance with the Turkish Regulation on the Health and Safety Precautions Taken While Working with the Chemical Substances, No: 28733, Date: 12.08.2013, Art. 6; (2) and FLA Workplace CoC HSE.10
Benchmark ID	HSE.23.1
Benchmark Details	Safe and clean drinking water shall be freely available at all times, within reasonable distance of the workplace. Drinking water shall be of a reasonable temperature. The means to drink water (e.g. cups) must be safe and sanitary and available in an appropriate number.
Finding Details	It was noted that the drinking water analysis sample is taken from only 1 source, however there is a total of 7 water dispensers.
Recommendation for Immediate Action	It is recommended that drinking water analysis should be taken from all points.
Compliance Classifications	Immediate Action Required
Local Law	In accordance with Regulation Concerning Water Intended for Human Consumption, date: 17.02.2005, No. 25730, Article 6 and FLA Workplace CoC HSE.23
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	1. Risk analysis does not cover migrant workers. 2. Buddies' assignment was not done for workers that need special protection, including pregnant, breastfeeding, disabled, young or old workers, and migrant workers. 3. It was noted that there is storage above 3 meters in warehouse sections although the risk assessment document limits the height of storage with 3 meters.
Recommendation for Immediate Action	1. It is recommended that migrant workers should be included in risk assessment. 2. It is recommended that buddy assessment should be done for workers that require special protection. 3. It is recommended that should not be exceed 3 meters.
Compliance Classifications	Immediate Action Required
Local Law	In accordance with In accordance with Occupational Health and Safety Law, 20/06/2012, No: 6331, Article 10 and Regulation about Emergency Cases at Workplaces, (18.06.2013. No: 28681) Art. 6 and FLA Workplace CoC HSE.29
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	It was noted that minor injuries were not registered at the facility. There is registration of 'no injuries noted in the related months'.
Recommendation for Immediate Action	It is recommended that all injuries should be registered.
Compliance Classifications	Immediate Action Required
Local Law	In accordance with Occupational Health and Safety Law No: 6331, Date: 30.06.2012 Art. 14 – (1) and FLA Workplace CoC HSE.30.2.5
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	It was noted that protective shoes were not provided for warehouse section workers.
Recommendation for Immediate Action	It is recommended that protective shoes should be provide to the warehouse workers.
Compliance Classifications	Immediate Action Required
Local Law	In accordance with Turkish Regulation on the Usage of the Personnel Protective Equipments in the Workplace (No: 28695, Date: 02.07.2013), Article 5 and FLA Workplace CoC HSE.7
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. It was noted that the cutting section worker was not using metal mesh gloves. The factory does not provide training to all workers regarding PPE usage and maintenance. Also, the provided trainings were not effective. 2. It was noted that there is no training in their local language for migrant workers.
Recommendation for Immediate Action	1. It is recommended that 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. 2. It is recommended that workers should be trained in their local language.
Compliance Classifications	Immediate Action Required

Local Law	In accordance with Turkish Regulation on the Usage of the Personnel Protective Equipments in the Workplace (No: 28695, Date: 02.07.2013), Article 5; Turkish Regulation for Occupational Health and Safety Method and Elements for Employees (15.05.2013), art 6, and FLA Workplace CoC HSE.1 and HSE.8
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	It was noted that chemical training was not provided to the workers who work with the chemicals.
Recommendation for Immediate Action	It is recommended that workers shall receive training, appropriate to their job responsibilities, concerning the hazards, risks and the safe use of chemicals and other hazardous substances.
Compliance Classifications	Immediate Action Required
Local Law	In accordance with FLA Workplace CoC HSE.9

## Hours Of Work (HOW)

Benchmark ID	HOW.8.2
Benchmark Details	All overtime work shall be consensual, and employers shall enact a voluntary overtime system, including for overtime utilized in exceptional circumstances*.
Finding Details	1. It was noted that OT work is mandatory. 2. Worker interviews noted that they are scared to take sick leave during peak season when the production demands are high.
Recommendation for Immediate Action	It is recommended that all overtime work shall be consensual, and employers shall enact a voluntary overtime system, including for overtime utilized in exceptional circumstances

Compliance Classifications	Immediate Action Required
Local Law	In accordance with FLA Workplace CoC HOW.8
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	It was noted that workers work more than 11 hours daily. (40 out of 40 sampled workers 11.45-12.5 hours in all 3 sampled months of May 2022, July 2022, August 2022)
Recommendation for Immediate Action	It is recommended that daily total working hours should not exceed 11 hours.
Compliance Classifications	Immediate Action Required
Local Law	In accordance with the Turkish Regulation on Working Hours Related to Labor Law, art 4 and FLA Workplace CoC HOW.1
Benchmark ID	HOW.11.1
Benchmark Details	Employers shall provide workers with paid annual leave as required under national laws, regulations and procedures.

Finding Details	1. It was noted that 273 workers have accrued 1-102 annual leave days from previous years. 2. Annual leaves are used by workers in no more than "3 parts" or 3 different sections of time. The factory does not allow for 1 part of the annual leaves to be minimum 10 consecutive days. 3. Moreover, it is noted that the factory allows the workers to be compensated for their annual leave rights for nearly half of the annual leave amounts. For example, the workers have the right to get paid daily gross wages for their accumulated leave and not use the annual leave day rights during termination, however the factory negotiated with the worker to pay them the annual leave rights on their net wage which is lower and nearly half of the rights the workers have. One example provided is that the worker has 30 days of annual leave days and the factory negotiated to pay for 20 days of annual leave as a favor. The worker is paid 3665 TL while he is entitled to receive 6471 TL during termination.
Recommendation for Immediate Action	1. It is recommended that annual leave days are used on time each year. 2. It is recommended that annual leaves are divided maximum three parts and one of these parts should not be less than 10 days. 3. Unused annual leave days should not be sold back to the factory.
Compliance Classifications	Immediate Action Required
Local Law	In accordance with Turkish Labour Law # 4857 / 2003, ARTICLE 56 and FLA Workplace CoC HOW.11
Benchmark ID	HOW.21
Benchmark Details	Other than in exceptional circumstances, the total weekly work hours (regular work hours plus overtime including any alternative shifts such as 4x4 or 3x3) shall not exceed 60 hours per week.
Finding Details	It was noted that some workers work more than 60 hours weekly. For example, in May 2022, 1 worker worked 62.25 hours in one week, and in July 2022, 5 out of 40 workers worked 62.25 hours in one week.)
Recommendation for Immediate Action	It is recommended that other than in exceptional circumstances, the total weekly work hours (regular work hours plus overtime including any alternative shifts such as 4x4 or 3x3) shall not exceed 60 hours per week.

Compliance Classifications	Immediate Action Required
Local Law	In accordance with FLA Workplace CoC HOW.20
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	It was noted that there is no annual leave committee at the facility.
Recommendation for Immediate Action	It is recommended that annual leave committee should be implemented in accordance with local regulation.
Compliance Classifications	Immediate Action Required
Local Law	In accordance with Annual Paid Leave Regulation,03.03.2004 Art 15 nd FLA Workplace CoC HOW.11
Benchmark ID	HOW.2
Benchmark Details	Workers shall be entitled to at least 24 consecutive hours of rest in every seven- day period. If workers must work on a rest day, an alternative consecutive 24 hours must be provided within that same seven-day period or immediately following.
Finding Details	It was noted that workers work more than 6 days consecutively without a rest days. For example, a total of 13 workers in July 2022 and 18 workers in June 2022 worked for 13 days consecutively.
Recommendation for Immediate Action	It is recommended that rest day should be provided for every 6 days working.
Compliance Classifications	Immediate Action Required
Local Law	In accordance with Turkish Labour Law # 4857 / 2003, ARTICLE 46 and FLA Workplace CoC HOW.2

## Nondiscrimination (ND)

Benchmark ID	ND.4
Benchmark Details	Employers may not request the disclosure of any personal, non-job related information during the application, recruitment, or hiring process, including but not limited to gender, race, religion, disability, sexual orientation, nationality, political opinion, social group, ethnic origin, or marital status.
Finding Details	The factory's job application form requires information such as, gender, military status, marital status, and place of birth, which might lead to discrimination.
Recommendation for Immediate Action	It is recommended that employers may not request the disclosure of any personal, non-job related information during the application, recruitment, or hiring process, including but not limited to gender, race, religion, disability, sexual orientation, nationality, political opinion, social group, ethnic origin, or marital status.
Compliance Classifications	Immediate Action Required
Local Law	In accordance with FLA Workplace CoC ND.1
Benchmark ID	ND.12
Benchmark Details	Employers shall take measures to reasonably accommodate workers with (chronic) illnesses, including HIV/AIDS-related illnesses, which could include rearrangement of working time, the provision of special equipment, opportunities for rest breaks, time-off for medical appointments, flexible sick leave, part-time work and return-to-work arrangements.
Finding Details	It was noted that ergonomic mats were not provided for standing workers.
Recommendation for Immediate Action	It is recommended that ergonomic mats should be provide for all standing workers.

Compliance Classifications	Immediate Action Required
Local Law	In accordance with FLA Workplace CoC HSE.17.1

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