

Fair Labor Association: Independent External Factory Assessment

Assessment Date :

22 Sep 2022



Factory Information

FLA Affiliates	Gildan Activewear Inc
Country	Guatemala
Number of Workers	440

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

Employment Relationship (ER)	3
Health, Safety And Environment (HSE)	4
Nondiscrimination (ND)	1

Assessment Information

Assessor	VeLar International
Assessment Date	22 Sep 2022
Assessment Purpose	

ASSESSMENT RESULTS

Employment Relationship (ER)

Benchmark ID	ER.17.5
Benchmark Details	Employers shall have in place procedures to track the number, types, and timing and resolution of grievances, and to communicate the resolution of grievances to the workforce.
Finding Details	The factory is missing a grievance reviewing protocol. There was no evidence of investigation into workers' complaints, resolution, or feedback.
Recommendation for Immediate Action	
Compliance Classifications	Sustainable Improvement Required
Local Law	
Benchmark ID	ER.6.1
Benchmark Details	Employers shall have written policies and procedures and implement practices that encourage ongoing training of all categories of workers with the goal of raising or broadening skills in order to advance in their careers within the factory or beyond.
Finding Details	The factory does not have policies and procedures on continuous training and employees' ongoing development.
Recommendation for Immediate Action	
Compliance Classifications	Sustainable Improvement Required

Local Law	
Benchmark ID	ER.7.1
Benchmark Details	Employers shall have written policies and procedures with regard to performance reviews that outline the review steps and process, demonstrate linkages to job grading, prohibit discrimination, are provided in writing and seek feedback and agreement/disagreement from employees in writing, and that follow all local legal requirements.
Finding Details	The factory does not have policies and procedures for continuous revision of employees' performance.
Recommendation for Immediate Action	
Compliance Classifications	Sustainable Improvement Required
Local Law	

Health, Safety And Environment (HSE)

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	Facility bathrooms are unclean and in poor condition in all areas.
Recommendation for Immediate Action	Keep bathrooms clean and in good condition.
Compliance Classifications	Immediate Action Required
Local Law	Article 296 of the Health and Safety Regulation.

Benchmark ID	HSE.12
Benchmark Details	Employers shall ensure that women are not engaged in work that constitutes a substantial risk to their reproductive health.
Finding Details	1.- The factory does not provide pregnant women employees with the necessary breaks. Also, there is no procedure for these breaks. 2.-There is no lactation room with the required equipment for employees during the nursing period.
Recommendation for Immediate Action	1. Develop a procedure to provide pregnant women employees with the necessary breaks. 2. Install a Lactation Room with the required equipment.
Compliance Classifications	Immediate Action Required
Local Law	Article 155 of the Work Code
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	Employees were noted using PPE and it was confirmed through the interviews with employees and managers, that it was provided at no cost. However, to formally confirm if it is the correct PPE for each position, the factory must conduct a specific assessment. The factory has not conducted the risk assessment to detect the position's risks and determine the required PPE; therefore it is not possible to confirm if appropriate and necessary PPE is available for each position.
Recommendation for Immediate Action	Develop the position risk assessment for PPE assignment.
Compliance Classifications	Immediate Action Required

Local Law	Article 231 of the Health and Safety Regulation.
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. The factory does not have an ergonomic risk assessment, in addition, chairs in the sewing area are made of wood. 2. The company does not have policies and procedures on continuous breaks and/or stress reduction.
Recommendation for Immediate Action	1. Develop an ergonomic risk assessment and implement the required measures. 2. Develop policies and procedures on continuous breaks and/or stress reduction
Compliance Classifications	Immediate Action Required
Local Law	Article 89 of the Health and Safety Regulation.

Nondiscrimination (ND)

Benchmark ID	ND.1.1
Benchmark Details	Employers, employment agencies, and intermediaries shall comply with all national laws, regulations and procedures concerning nondiscrimination. Where local laws and FLA standards differ, the employer, employment agency, and intermediary is expected to follow the highest applicable standard.
Finding Details	1.- The factory requests the Non-Criminal Record letter from all applicants during the hiring process. 2.- The factory does not have a juvenile workers' policy, and in its hiring process, it prohibits the hiring of minors under 18 years of age, however, the law allows hiring them.
Recommendation for Immediate Action	1. Refrain from asking employees for a Non-Criminal Records letter. 2. Develop a juvenile workers' policy and stop any discriminatory policies in hiring.

Compliance Classifications	Immediate Action Required
Local Law	Article 137 Bis. Code of Work. Article 31 Code of Work. Article 147 Code of Work.

