

Fair Labor Association: Independent External Factory Assessment

Assessment Date :

23 Nov 2022



Factory Information

FLA Affiliates	Volcom, LLC.
Country	Bangladesh
Number of Workers	

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)	12
Health, Safety And Environment (HSE)	14
Hours Of Work (HOW)	1
Nondiscrimination (ND)	1

Assessment Information

Assessor	SCSA
Assessment Date	23 Nov 2022

Assessment Purpose	Factory Assessment (In-Person)
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ASSESSMENT RESULTS

Compensation (C)

Benchmark ID	C.12.1
Benchmark Details	All legally mandated deductions for taxes, social insurance, or other purposes shall be deposited each pay period in the legally defined account or transmitted to the legally defined agency. This includes any lawful garnishments for back taxes, etc.
Finding Details	The facility has not conducted regular account audits of contributory provident fund for the period of 2021. The last audit was conducted in 2020. The facility management stated that audit firm conducted the audit however, they have not received final audit report.
Recommendation for Immediate Action	Conduct contributory provident fund accounts audit with timely manner and submit accounts audit report to the relevant authority.
Compliance Classifications	Immediate Action Required
Local Law	In Accordance with EPZ employees (Contributory) Provident Fund Policy 2012 chapter 1, section 14 (1) balance sheet and statement have to be audited by chartered accountant firm each year within six months of the completion of year. In accordance with Bangladesh EPZ Labor Rules 2022, Chapter 12, section 278, Sub-section 1: Have to conduct accounts audit of provident fund as per Company act 1994 by recognized audit firm each and every year.
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	Facility has recruited 51 cleaning staff from an outsourced firm. The facility does not provide lunch or transport allowance for the outsourced cleaning staff as required by law. (The facility only provides BDT 50 as lunch allowance and BDT 25 as transport allowance per working day for its direct workers)
Recommendation for Immediate Action	Provide lunch and transport allowance for all employees (Direct & Indirect employees) as per the guideline of BEPZA minimum wage gazette.
Compliance Classifications	Immediate Action Required
Local Law	BEPZA Minimum Wage Gazette, November 27, 2018, Section E, Sub-Section ii: (In addition to the above gross, food or food allowance and transport or transport allowance shall be provided by the enterprises. The enterprises those are already providing food or food allowance and transport or transport allowance shall continue and it shall not be less than what workers are getting at this moment)

Employment Relationship (ER)

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	Employment contract letters/appointment letters of security personnel were provided in English instead workforce's language. Furthermore, working hours, breaks, leave and holidays, festival bonus, benefits and social insurance information were not provided on employment contracts letter/appointment letter of workers.

Recommendation for Immediate Action	Facility shall provide appointment letter of worker in Bengali Language and shall include all required information in appointment letter.
Compliance Classifications	Immediate Action Required
Local Law	(1) In accordance with EPZ Labor Rules 2022, chapter 2, Section 10, Sub-Section 2: The Employment letter or appointment letter of the worker should be issued in Bengali language, but if necessary employment letter or appointment letter can be issued in English language along with Bengali language. (2) In accordance with EPZ Labor Rules 2022, chapter 2, Section 10, Sub-Section 6: As per Section 6 of the Act, the appointment letter issued to the worker shall contain the following information namely: (a) Worker's Name. (b) Father's Name (c) Mother's Name (d) Spouse name (If applicable) (e) Address: Present Permanent. (f) Designation, Job nature and date of join. (g) Worker's Classification (h) Wage or salary scale (Wage or salary and annual increment rate) (i) Other financial benefits payable, if any such as: house rent, medical, festival and attendance bonus
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	It was noted that orientation and ongoing training of workers does not cover complete FLA Code elements and Employment Functions. Trainings only cover health & safety and workplace conduct and discipline related topics.
Recommendation for Immediate Action	
Compliance Classifications	Sustainable Improvement Required
Local Law	

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	According to interviews, 8 out 15 managers and supervisors were found to have insufficient awareness of workplace disciplinary system. They are not well aware of the types of misconduct, disciplinary action process, inquiry and punishment of disciplinary action.
Recommendation for Immediate Action	
Compliance Classifications	Sustainable Improvement Required
Local Law	
Benchmark ID	ER.5.1
Benchmark Details	Employers shall ensure that all supervisors are trained in national laws, workplace regulations, and the FLA Code, workplace grievance systems, and the appropriate practices to ensure compliance.
Finding Details	The facility does not provide training to supervisors on the FLA Code elements and Employment Functions.
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	There is no written policy and procedures on child labor remediation, in case of any child labor being hired or found at the facility.
Recommendation for Immediate Action	
Compliance Classifications	Sustainable Improvement Required
Local Law	
Benchmark ID	ER.18.1
Benchmark Details	Employers shall have written disciplinary rules, procedures and practices that embody a system of progressive discipline (e.g. a system of maintaining discipline through the application of escalating disciplinary action moving from verbal warnings to written warnings to suspension and finally to termination).

Finding Details	-Workplace disciplinary policy and procedures lack details/information on inquiry proceedings, formation of an inquiry committee, disciplinary actions taken, terms and compensation of dismissal cases. -In addition, type of misconduct of disciplinary actions was also not in line with with Bangladesh EPZ Labor Act 2019. There are total 18 types of misconduct mentioned in Bangladesh EPZ Labor Act 2019, although the facility has mentioned only 10 types of misconduct in disciplinary actions in policy and procedures. (Topics of sexual harassment, smoking at prohibited place, sleeping on duty time, not using personal protective equipment, taking drug inside the factory or EPZ zone, collecting money without permission from the authority, giving falsifying information regarding name, age, educational qualification or previous job, giving falsifying information during job application and fake certificate and billing handbill and leaflet without permission of the authority were not included in workplace disciplinary action policy)
Recommendation for Immediate Action	Facility shall include formation on inquiry proceedings, formation of an inquiry committee, disciplinary actions taken, terms and compensation of dismissal cases in workplace disciplinary action policy and procedure and shall include all misconduct as per Bangladesh EPZ Labor act 2019 or Bangladesh EPZ Labor Rules 2022 in disciplinary action policy.
Compliance Classifications	Immediate Action Required

Local Law	<p>(1) In accordance with EPZ Labor act 2019, Section 21, sub-section 4- No order of punishment shall be made against a worker unless-</p> <p>(a) The allegations against him are recorded in writing; (b) He is given a copy there of and not less than seven days' time to explain; I he is given an opportunity of being heard; (d) Conduct proper investigation by fair inquiry committee and proved the allegation has brought against him/ her. (2) In accordance with Bangladesh EPZ Labor Act 2019, Section 21: Following things will be treated as misconduct: (a) Willful insubordination or disobedience whether alone or in combination with others to any lawful or reasonable order of a superior, take someone hostage, work in slow motion or observe strike. (b) Theft, embezzlement, destruction, fraud or dishonesty of the owner's business or property. (c) Giving or accepting bribes in relation to his or any other worker's employment under the owner. (d) Habitual absenteeism without permission or more than continuous 10 days absent without taking any leave. (e) Habitual late attendance. (f) Habitual beach of any applicable laws, rules or regulations of the Enterprise. (g) Disturbance or rioting in the establishment, commotion, arson or vandalism or any act of disorderly conduct. (h) Habitual negligence of work, Sleeping on duty time and do not use PPE or do not use PPE properly. (i) Habitual beach of discipline and employment related any matter approved by the additional inspector general. (j) Alteration, falsification, wrongful alteration, malicious or willful loss of owner's official records. (k) Smoking at the prohibited place of the factory. (l) Taking drug or drunkenness inside of the factory or EPZ. (m) Do Sexual Harassment. (n) Giving falsifying information regarding name, age, education and previous job. (o) Giving false information during job application and forgery of certificate. (p) Carrying on money lending or any other private business within the premises of the factory. (q) Distribution or display of Leaflet or poster within the premises of the factory without prior approval of appropriate authority.</p>
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	There is no written policy and procedure on personnel development.

Recommendation for Immediate Action	
Compliance Classifications	Sustainable Improvement Required
Local Law	
Benchmark ID	ER.7.1
Benchmark Details	Employers shall have written policies and procedures with regard to performance reviews that outline the review steps and process, demonstrate linkages to job grading, prohibit discrimination, are provided in writing and seek feedback and agreement/disagreement from employees in writing, and that follow all local legal requirements.
Finding Details	-The facility does not have a written policy and procedure on performance appraisal that includes steps and processes, linkages to job grading, nondiscrimination, written feedback and legal requirement. -Workers do not have access to their evaluations or the right to provide feedback on them and there is no option available in the performance evaluation form to record workers' opinion or feedback about their performance evaluation result.
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	There is no written policy and procedures on promotion, demotion and job-reassignment.
Recommendation for Immediate Action	
Compliance Classifications	Sustainable Improvement Required
Local Law	
Benchmark ID	ER.4
Benchmark Details	Employers shall inform workers about workplace rules, environmental protection systems, health and safety information, and laws regarding workers' rights with respect to freedom of association, compensation, working hours, and any other legally required information, and the FLA Code through appropriate means, including posted in local language(s) throughout the workplace's common areas.
Finding Details	FLA Code was posted at the facility.
Recommendation for Immediate Action	
Compliance Classifications	Sustainable Improvement Required
Local Law	
Benchmark ID	ER.3.1
Benchmark Details	Employers shall provide an orientation to new employees at the time of hiring, which includes explanations of the employers' rules, compensation package and policies for human resources, grievance systems, industrial relations, including respect of the right to freedom of association, workers' rights and responsibilities, FLA Code of Conduct, health and safety, and environmental protection.

Finding Details	The orientation training for workers does not cover all FLA Code elements and Employment Functions. The orientation training only covered health and safety, workplace conduct and discipline.
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	The facility does not review and update policy and procedures on regular basis.
Recommendation for Immediate Action	
Compliance Classifications	Sustainable Improvement Required
Local Law	
Health, Safety And Environment (HSE)	
Benchmark ID	HSE.5.1.5
Benchmark Details	All applicable, legally required or recommended elements of safe evacuation shall be complied with, including all of the following elements: employee education and training

Finding Details	The facility has total 2575 employees. Based on this total, the facility should have 464 trained firefighting team members (firefighter, rescue, and first aider) trained by the Bangladesh Fire Service and Civil Defense. The facility currently has total 353 trained firefighting members from Bangladesh Fire Service and Civil Defense.
Recommendation for Immediate Action	Train at least 18% of workforce by Bangladesh Fire Service & Civil Defense on Firefighting, Fire Rescue and First Aid.
Compliance Classifications	Immediate Action Required
Local Law	Bangladesh EPZ Labor Rules 2022, chapter 4, section 45, sub-section 10: As far as possible, all workers or at least 18% of the workers employed in each department have to be trained on fire-fighting, emergency rescue operation, first aid and the usage of portable firefighting equipment by Bangladesh Fire Service & Civil Defense or any other Government recognized organization the security has to be ensured by dividing the trained workers into fire-fighting team, rescue team and first aid team (6% members in each team) and the records related herewith have to be preserved in accordance with Form- 23.
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	<p>(1) No foam/dry chemical powder type of fire extinguisher with capacity of 25 Kilogram (KG) is provided at the electrical main sub-station room and generator room. The facility only has Co2 fire extinguisher with capacity of 23 Kilogram (KG). (The Bangladesh EPZ Labor Rules 2022 requires foam, dry chemical powder and Co2 type of fire extinguisher with capacity of 25 kilogram at electrical main sub-station rooms and generator rooms in factories) (2) Two exits from the Human Resource Department and one exit from the central office of the 1st floor of building 1 were not opening outwards. More than 20 employees were working in each area. (3) Sliding doors are installed as emergency exits at the medical center and sample section office. (4) Exit signs or arrow floor markings are not provided to show the direction to main emergency, at four passageways of the accessories warehouse, five passageways of the fabric warehouse and one passageway of the workers' dining hall.</p>
Recommendation for Immediate Action	<p>1-Install foam type, dry chemical powder type and co2 type of fire extinguisher with capacity of 25 kilogram at the generator room and electrical main sub-station. 2-Ensure that all emergency exit doors are opening outwards 3- Provide emergency exit signs or floor markings through the passage ways to show the direction of main exit.</p>
Compliance Classifications	Immediate Action Required

Local Law	In accordance with Bangladesh EPZ Labor Rules 2022, chapter 4, section 45, sub-section 4: The factory where there is a possibility of fire incident from the electrical appliances, the fire extinguisher of the capacity mentioned in the sub-rule (2) should be installed and that should be made of Carbon di-oxide, dry chemical powder or similar materials and Boiler room, generator room, electrical main sub-station room shall have trolley system foam type, dry chemical powder (A, B and C type) and carbon dioxide type fire extinguishers with a capacity of at least 25 kg. In accordance with Bangladesh EPZ Labor Rules 2022, chapter 4, section 103, sub-section 5: The means of exit from any room in every establishment shall not be locked or fastened so that it can be opened immediately from the inside by a person working inside the room unless these are of the sliding type. All such doors shall be so constructed as to open outwards. In accordance with Bangladesh Labor Rules 2015, chapter six, section 54, sub-section 12: In every factory every window, door, or other exit affording means of escape in case of fire, other than the means of exit in ordinary use, shall be distinctively marked in a language understood by the majority of the workers and in red letters of adequate size or by some other effective and clearly understood sign.
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	No emergency light is installed in at least three aisles of the cutting section, four aisles of the sewing section in building 2, and four aisles of the sewing section of building 1.
Recommendation for Immediate Action	Install emergency lights at all required areas for easy evacuation during emergency.
Compliance Classifications	Immediate Action Required

Local Law	In accordance with Bangladesh EPZ Labor Rules 2022, chapter 4, section 73: 1) According to the provisions of Section 35 (3) (b) of the Act, proper, natural, artificial or both types of lighting must be provided in every part of an establishment where workers work or travel. 2) The arrangements of lighting of the workplace of the workers should be at least 350 Lux at the height of 1.0 meter from the floor.
Benchmark ID	HSE.14.1
Benchmark Details	All production machinery, equipment and tools shall be properly guarded and regularly maintained.
Finding Details	(1) The facility does not clearly mark traffic lanes in front of the entrance and exit gate and inside of the factory premises. (2) Driving licenses of two vehicle drivers expired on September 16, 2022 and June 10, 2022. (3) At least five gas cylinders were stored without chain, safety label and hazard sign at the kitchen.
Recommendation for Immediate Action	-Mark traffic lane and walk paths clearly, -Take necessary step to renew driving license from the concern department -Store gas cylinders with proper chain, safety label and hazard sign
Compliance Classifications	Immediate Action Required
Local Law	In accordance with Bangladesh Road Transport Act 2018 (Sarak Poribahan Act 2018) Chapter 2, Section 4- Nobody allowed to drive motor vehicle without license or with expiry license. In accordance with Bangladesh Gas Cylinder Rules 1991 (Amendment 2003), chapter two, section 11, sub-section 1: Each cylinder shall be clearly and conspicuously affixed with the name, address and name of the person filling the gas and a label stating whether the gas is poisonous or flammable.
Benchmark ID	HSE.22.2
Benchmark Details	All workers handling food must be trained and/or certified to work in the facility preparing or serving food.
Finding Details	There is no specific training program on health & safety or hygiene for canteen workers.

Recommendation for Immediate Action	Train all canteen staff on Health & Safety and hygiene conditions.
Compliance Classifications	Sustainable Improvement Required
Local Law	
Benchmark ID	HSE.18.2.1
Benchmark Details	An appropriate number of medical staff shall be on duty during all working hours, including any type of overtime, as required under national law.
Finding Details	The medical facility is available only during general working hours, not in overtime hours. Based on attendance records, the doctor is on duty from 7:00 to 14:00 and medical nurses were on duty from 7:00 to 16:00.
Recommendation for Immediate Action	Facility shall have medical facility on general duty hours and overtime duty hours.
Compliance Classifications	Immediate Action Required
Local Law	In accordance with Bangladesh EPZ Labor Rules 2022, chapter 4, section 44, sub-section 2: At least one registered Physician shall be in each medical center of the institute or factory with the facility of dispensary. Additionally, at least one trained compounder or medical assistant, nurse and subordinate employee shall be employed for helping him/her, provided that at least two registered Physicians shall be recruited in case of an Institute where more than three thousand employees/workers work and necessary number of medical assistant and nurse shall be recruited for helping the Doctors : There is also a condition that if the workers of an organization work in three shifts, there will be a diploma certified medical assistant instead of a registered doctor in the night shift.
Benchmark ID	HSE.27.1
Benchmark Details	Childcare facilities shall not physically overlap with production areas and children shall not have access to production areas.

Finding Details	The childcare center is located at the ground floor of building 4. The same floor houses the staff dining hall, compressor room and label room. In addition, the childcare center was found to be non-functional and there was no child present. The management interview revealed that the facility suspended operation of childcare center on May 3, 2020 at the early stage of COVID 19 and they had made a plan to reinstate the childcare center from December 2022.
Recommendation for Immediate Action	Relocate childcare center at separate shed/ building and make fully functional with proper conditions.
Compliance Classifications	Immediate Action Required
Local Law	In accordance with Bangladesh EPZ Labor Rules 2022, chapter 4, section 64, sub-section 5 : Childcare center shall not situated in close proximity to any part of the factory where fumes, dust or odious are given off or in which excessively noisy processes are carried on. In accordance with Bangladesh EPZ Labor Rules 2022, chapter 4, section 64, sub-section 1: In order to fulfill the purpose of section 35 (2)(10) of this Act, in such establishment where 40 or more women workers are employed, one or more suitable childcare rooms for children under 6 years of age shall be provided and maintained.
Benchmark ID	HSE.4.1
Benchmark Details	Employers shall at all times be in possession of all legally required and valid permits and certificates related to health, safety, and environmental issues, such as: Purchase and storage of chemicals; Fire safety inspections; Machinery inspections; Waste disposal; Environmental licenses/permits; Sanitation permits, including those required for canteens; and Vehicle inspection and driver permits for all employer provided transportation.
Finding Details	(1) The facility has five generators with capacity of 1.88 MW, however generator permit has expired on September 17, 2022. The facility has applied for renewal on September 28, 2022. (2) The facility has total 20 compressors but does not conduct hydraulic tests of compressor vessels by a competent personnel or authority. (3) The facility has a kitchen inside of the factory but does not have operating permit or a hygiene certificate for the kitchen.

Recommendation for Immediate Action	-Renew generator using permission from the relevant department, - Conduct hydraulic test of compressor vessels by the competent personnel or authority -Obtain kitchen operating permission from the concern department.
Compliance Classifications	Immediate Action Required
Local Law	<p>In accordance with the Bangladesh Energy Regulatory Commission Act, 2003, Sec 27: (1) of Bangladesh: No person shall engage himself in the following business unless he is empowered by a license or exempted from having it under this Act or any other Act, such as:- power generation; energy transmission; energy distribution and marketing; energy supply; and energy storage. In accordance with Bangladesh EPZ Labor Rules 2022, chapter 4, section 84, Sub-section 1 (GHA) : Following test should be done by the competent personnel: (A) For ensure the general condition of the vessel and the effectiveness of its fittings, external part should be tested once in every six month; (B) Should be tested once in a year inner side, inside of vessel and outside wall, effectiveness of the seam's and spares parts of vessel and the fault of seroson. But, provided that, if it is not possible to check the inner part for the vessel due to construction problem, in that case Hydraulic test should be done once in every two years. In accordance with Bangladesh Labor Rules 2015, chapter 6, section 62, sub-section 1(GHA) – Following test should be done by the competent personnel: (A) For ensure the general condition of the vessel and the effectiveness of its fittings, external part should be tested once in every six month; (B) Should be tested once in a year inner side, inside of vessel and outside wall, effectiveness of the seam's and spares parts of vessel and the fault of seroson. But, provided that, if it is not possible to check the inner part for the vessel due to construction problem, in that case Hydraulic test should be done once in every two years. In accordance with Food Safety Act 2013, chapter six, section 39- No person shall manufacture, import, process, store or sell any article of food or food ingredient without registering a food business which is mandatory under any law for the time being in force</p>
Benchmark ID	HSE.1
Benchmark Details	Employers shall comply with all national laws, regulations and procedures concerning health, safety, and the environment.

Finding Details	The facility received a fire safety risk assessment by the Bangladesh Fire Service and Civil Defense on November 12, 2020 and they issued a fire safety plan for six months, which expired on May 12, 2021. The facility management stated that updating process of fire safety plan in process.
Recommendation for Immediate Action	Take necessary steps to conduct fire safety risk assessment by Bangladesh Fire Service & Civil Defense and renew fire safety plan.
Compliance Classifications	Immediate Action Required
Local Law	In accordance with Bangladesh EPZ Labor Rules 2022, chapter 4, section 45, sub-section 13: The Manager of the factory/institute shall prepare a 'Fire Fighting Plan', detailing the necessary steps to be taken if fire breaks out and the plan shall also include the procedures for making the same as effective.
Benchmark ID	HSE.3.1
Benchmark Details	Employers shall notify the relevant national and/or local authorities of all illnesses and accidents and environmental emergencies as required by applicable laws.
Finding Details	The facility does not submit an injury register to the Dhaka EPZ hospital or Industrial Relations office.
Recommendation for Immediate Action	Facility shall submit injury register to Dhaka EPZ Hospital or Industrial Relations office.
Compliance Classifications	Immediate Action Required
Local Law	In accordance with Bangladesh Labor Rules, 2015, chapter 7, section 73 (Amendment 2022): 1) Authority of every institute shall preserve the record of each accident or mishap in the Register in accordance with Form-28. The authority would also accurately record the steps taken by the institute in relevant Register. 2) The recorded data as per Sub-section (1) shall be submitted to the Inspector as Half-Yearly Accident Data Report within 15 working days after expiry of 6 months over the records

Benchmark ID	HSE.17.2
Benchmark Details	Employers shall train workers in proper lifting techniques, and items such as lifting belts shall be provided.
Finding Details	The facility has total 2575 employees, but based on a review of the training record Ergonomic program from November 2021 to November 23, 2022, only 55 employees received training on Ergonomic training. The last batch of training was provided on November 17, 2022 and had 11 participants.
Recommendation for Immediate Action	Facility shall increase training on Ergonomic Program and shall bring related all employees under training.
Compliance Classifications	Immediate Action Required
Local Law	In accordance with Bangladesh EPZ Labor act 2019, chapter 4, section 35, sub-section 2 (c): To aware each worker about the hazard of the work through necessary instructions and training, as the case may be, in order to ensure the protection and safety of personal health in working place.
Benchmark ID	HSE.18.2
Benchmark Details	Medical staff shall be fully licensed and recognized under applicable national rules and regulations.
Finding Details	The facility has three medical nurses who are not registered with the Bangladesh Nursing and Midwifery Council.
Recommendation for Immediate Action	Recruit nurses with registration number of Bangladesh Nursing and Midwifery Council or take necessary step to obtain registration number of all medical nurses accordingly.
Compliance Classifications	Immediate Action Required

Local Law	In accordance with Bangladesh Nursing and Midwifery Council act 2016, section 21, sub-section 1: Notwithstanding anything contained in any other law, no person shall practice or hold out to be a nurse or midwife or allied profession without registration under this Act.
Benchmark ID	HSE.30.2.6
Benchmark Details	The health, safety, and environmental policies shall contain the framework for a comprehensive health, safety, and environmental management system including a HS&E risk assessment within which the following are clear and regularly tested and reviewed:protections to workers who allege health, safety, and environmental violations;
Finding Details	The facility does not conduct risk assessments for roof, stair, sub-station and transformer room, canteen food, chemical store, fuel tank, electrical distribution board, transmittable; non-transmittable disease and excessive working hours.
Recommendation for Immediate Action	
Compliance Classifications	Sustainable Improvement Required
Local Law	
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) At least 15% of workers at the cutting, sewing and finishing section were working without face masks (2) Two cutting machine operators and one conveyor belt operator were working without wearing ear plugs despite loud noise. (3) The facility has total 2575 employees, but based on a review of PPE training records from November 2021 to November 2022, only 54 employees received training on PPE. The last batch of training was provided on November 17, 2022 with 14 total participants.
Recommendation for Immediate Action	Ensure that workers to use PPE with proper manner to ensure their own safety. Train all workers for PPE usage.
Compliance Classifications	Immediate Action Required
Local Law	In accordance with Bangladesh EPZ Labor Rules 2022, chapter 4, section 69, Sub-section 3: Every person working in the dust-sand and Smokey place in the organization have to use mask. In accordance with Bangladesh Labor Rules, 2015, chapter 6, section 67: (1) Safety measures and health safety must be arranged in accordance with the directions of this Rule or the regulations of the concerned govt. department for the workers who are employed in the procedures of manufacturing processes that have high risks of physical injury or loss. 2) In addition to the arrangement of safety and health protection measures mentioned in Sub-section (1), the concerned manufacturing institute must provide necessary equipment's, including safety shoes, helmets, goggles, masks, hand gloves, ear muffs, ear plugs, waist belts, aprons etc. and arrange training programs for the workers in using these materials and ensure their usage.

Hours Of Work (HOW)

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	Based on provided time cards from November 2021 to October 2022, it was noted that daily overtime exceeded 2 hours and extended up to 4 hours; therefore daily working hours reached 10 to 12 hours. In addition, The weekly working hours of workers exceeded 60 hours for around 80% of sampled workers across different months from November 2021 to Oct 2022, and maximum weekly working hours was at 72 hours
Recommendation for Immediate Action	It is recommended that the facility shall keep weekly working hours within 60 hours.
Compliance Classifications	Immediate Action Required
Local Law	In accordance with Bangladesh EPZ Labor Act 2019, chapter 5, section 40: (1) No worker shall ordinarily work or be required to work in an enterprise for more than 48 (forty eight) hours in a week. (2) Subject to the provisions of section 45, a worker may work for more than 48 (forty eight) hours in a week: Provided that the total working hours of such worker shall not exceed 60 (sixty) hours in a week and on the average 56 (fifty six) hours per week in a year:

Nondiscrimination (ND)

Benchmark ID	ND.3
Benchmark Details	Recruitment and employment policies and practices, including job advertisements, job descriptions, application and interview questions and job performance/evaluation policies and practices shall be free from any type of discriminatory bias.
Finding Details	The factory's job advertisement for a Junior officer (Compliance) and Junior Officer (QA, Asia buyer) published on November 16, 2022 on a website stated an age requirement of 24 years to 35 years for both positions. The advertisement also stated that only male applicants should apply for the position of Junior officer (Compliance).
Recommendation for Immediate Action	Factory shall ensure that the recruitment process is free from any inappropriate restriction on the age and gender.

Compliance Classifications	Immediate Action Required
Local Law	

