

Fair Labor Association: Independent External Factory Assessment

Assessment Date :

08 Jun 2023



Factory Information

FLA Affiliates	Reformation
Country	Turkey
Number of Workers	340

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)	1
Employment Relationship (ER)	4
Harassment Or Abuse (H/A)	1
Health, Safety And Environment (HSE)	4
Hours Of Work (HOW)	2
Nondiscrimination (ND)	1

Assessment Information

Assessor	Sinan Doven
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Assessment Date	08 Jun 2023
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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	The factory does not provide funding for necessary supplies (approx. 1500 TL/year for 2022-2023) at the external child care facility, as required by local law.
Recommendation for Immediate Action	Provide funding for all necessary expenses, including supplies, at the external child care facility.
Compliance Classifications	Immediate Action Required
Local Law	Regulation on Working Conditions of Pregnant or Breastfeeding Females, Breastfeeding Rooms and Childcare Facilities, No.28737, Date: 16.08.2013; Art. 13 & 21

Employment Relationship (ER)

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	The factory has only 8 disabled employees out of a total workforce of 340. Turkish law requires that 3% of the workforce be workers with disabilities. Factory management explained that they contacted the local labor office seeking to increase the number of disabled candidates in April 2023.
Recommendation for Immediate Action	Employ disabled workers as at least 3% of the total workforce, as required by law.
Compliance Classifications	Immediate Action Required
Local Law	Turkish Labour Law # 4857 / 2003, ARTICLE 30
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	Workers reported that factory management uses "defense letters" as a form of workplace discipline. In these cases, the factory gives notice of a violation and asks the worker to prepare a letter in response. These letters, however, are not processed by the factory's established disciplinary board. According to documentation reviewed by the assessor, there were 47 such incidents between January 16 and May 30, 2023. The issues included careless work leading to mistakes (41 cases), not following work hours regulations (5 cases), and not obeying company rules (1 case). Approx. 20% of the workers interviewed reported that the "defense letter" process is perceived as a punishment. The assessor also perceived that management uses this system as form of intimidation.
Recommendation for Immediate Action	Escalate all disciplinary actions properly, ensuring workers have the right to be heard by the disciplinary board in all cases.
Compliance Classifications	Immediate Action 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	The FLA Code of Conduct poster was not posted at the factory.
Recommendation for Immediate Action	Post either the FLA Code of Conduct or the FLA member company's aligned Code of Conduct at the factory, in the proper language(s).
Compliance Classifications	Immediate Action 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	The factory has not posted the FLA member company's written statement/poster of workplace standards to make it available to workers, managers, and supervisor.
Recommendation for Immediate Action	Post either the FLA Code of Conduct or the FLA member company's aligned Code of Conduct at the factory, in the proper language(s).
Compliance Classifications	Immediate Action Required
Local Law	

Harassment Or Abuse (H/A)

Benchmark ID	H/A.6
Benchmark Details	Employers shall not use any form – or threat – of psychological abuse, such as forcing workers to sign letters of self-criticism or posting names of workers subject to disciplinary measures as a means to maintain labor discipline.
Finding Details	Worker interviews revealed the use of psychological harassment and abuse in the factory. 25% of interviewed workers experienced psychological pressure due to production issues (targets and quality). 20% of interviewed workers reported that sewing line supervisors yelled at workers due to production pressures. 10% of interviewed workers reported restrictions on access to toilets.
Recommendation for Immediate Action	Ensure that workers are not subjected any psychological harassment or abuse. End the use of yelling by supervisors. Do not restrict workers' movement or ability to use the toilets.
Compliance Classifications	Immediate Action Required
Local Law	

Health, Safety And Environment (HSE)

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	The factory's lighting assessment was conducted during daylight hours only. The factory has not conducted an assessment during dark hours to ensure that there is sufficient lighting during corresponding shifts.
Recommendation for Immediate Action	Conduct a lighting assessment during dark hours and act upon its results, if needed.

Compliance Classifications	Immediate Action Required
Local Law	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 22-23
Benchmark ID	HSE.14.1
Benchmark Details	All production machinery, equipment and tools shall be properly guarded and regularly maintained.
Finding Details	The assessment observed one missing pulley guard on a sewing machine. The factory re-installed the pulley guard during the course of the audit.
Recommendation for Immediate Action	Ensure that pulley guards are installed for all sewing machines and that they remain in place.
Compliance Classifications	Immediate Action Required
Local Law	Turkish Regulation about Occupational Health and Safety circumstances using work equipments (25/04/2013) Appendix I Minimum general requirements to be included in the job equipment Article 2-3
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 assessment observed that there was no eye wash solution available in the maintenance room, where machinery oil is used. The factory provided the eye wash solution during the course of the audit.
Recommendation for Immediate Action	Ensure eye wash solution is provided where necessary, including in the maintenance room.

Compliance Classifications	Immediate Action Required
Local Law	Turkish Regulation on the Health and Safety Precautions Taken While Working with the Chemical Substances (12.08.2013) No: 28733 Art. 8 - (1)
Benchmark ID	HSE.1
Benchmark Details	Employers shall comply with all national laws, regulations and procedures concerning health, safety, and the environment.
Finding Details	Ergonomic mats are provided for ironing workers, but not for other workers who stand at their workstations.
Recommendation for Immediate Action	Provide ergonomic mats for all workers who perform their jobs standing up.
Compliance Classifications	Immediate Action Required
Local Law	

Hours Of Work (HOW)

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	The assessment found that 41 workers had accumulated unused annual leave days from previous years. These workers accumulated between 3 and 43 unused days.
Recommendation for Immediate Action	Ensure that workers use their annual leave each year.
Compliance Classifications	Immediate Action Required

Local Law	Turkish Labour Law # 4857 / 2003, ARTICLE 53
Benchmark ID	HOW.22.3
Benchmark Details	Time worked by all workers, regardless of wage system, shall be fully documented by time cards or other mechanical or electronic recording systems.
Finding Details	Four workers in the factory, all either loading or maintenance workers, are referred to informally as "gray collar" workers. These workers earn higher hourly wages than other workers at the factory. They work flexible hours and may work long overtime on occasion. For example, it was reported that in late 2022 and early 2023, they would work until 4:00am once a month. These "gray collar" workers do not record their time in any attendance/timekeeping system, making it impossible to determine that their pay is properly calculated and that their hours of work are within required limits.
Recommendation for Immediate Action	All workers should use the attendance system to record working hours.
Compliance Classifications	Immediate Action Required
Local Law	Turkish Regulation on Working Hours Related to Labor Law, No: 25425, Date: 06.04.2004, Art. 9

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 working principles document states, "Considering the workplace hazard class and working conditions, employees must be at least 18 years old." The factory's H&S risk analysis states, "In accordance with the recruitment policy, persons under the age of 18 are not employed in the factory." This evidence indicates that the factory does not employ young workers (15-18 years old) as a rule, a policy which discriminates based on age. The assessment determined that non-hazardous work suitable for young workers exists at the factory.
Recommendation for Immediate Action	Do not discriminate in hiring based on age. Limit young workers to non-hazardous work without forbidding their hiring entirely.
Compliance Classifications	Immediate Action Required
Local Law	Turkish Constitution Article 10

