

# Fair Labor Association: Independent External Factory Assessment

Assessment Date :

**28 Jun 2023**



## Factory Information

FLA Affiliates	Hanesbrands
Country	India
Number of Workers	1270

## 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)	14
Forced Labor (F)	2
Freedom Of Association And Collective Bargaining (FOA)	1
Harassment Or Abuse (H/A)	2
Health, Safety And Environment (HSE)	21
Hours Of Work (HOW)	3

## Assessment Information

Assessor	Insync
Assessment Date	28 Jun 2023
Assessment Purpose	Factory Assessment (In-Person)

## ASSESSMENT RESULTS

### Compensation (C)

Benchmark ID	C.21.2
Benchmark Details	All benefits shall be calculated correctly
Finding Details	The annual bonus for the financial year of 2021-2022 was calculated at wages below the minimum of INR 7000 (or applicable wage) for 80 out 1197 workers.
Recommendation for Immediate Action	Ensure the annual bonus is accurately calculated and paid to workers.
Compliance Classifications	Immediate Action Required
Local Law	THE PAYMENT OF BONUS (AMENDMENT) ACT, 2015-3. In section 12 of the principal Act,— (i) for the words “three thousand and five hundred rupees” at both the places where they occur, the words “seven thousand rupees or the minimum wage for the scheduled employment, as fixed by the appropriate Government, whichever is higher” shall respectively be substituted.
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	<p>1. The factory is legally required to provide a medical centre inside the factory with medicines that provided free of cost. However, the factory has obtained an exemption from the government and does not need to provide the facility inside the factory. There is a hospital managed by a charitable trust which is located outside the factory that can be accessed by local community and factory workers. This hospital replaces the need of medical centre inside and is managed by the factory. Non-resident workers from the factory need to pay for medicines provided by the hospital managed by the Trust while resident workers (those living in dormitories) do not need to pay at all for medicines. This practice could also be a risk for discrimination between resident and nonresident workers in providing similar medical facilities. 2. The register of leave with wages is maintained in electronic format and is missing legally required information. The factory has not obtained approval from labor department to maintain data in electronic format. 3. The factory does not maintain a register of loans separately. The information is maintained in the register of advances. 4. The register of advances is not maintained as legally required. The information about amount repaid in column no.9 includes information on the monthly instalment and date when instalment was credited to loan account of the worker instead of the legally required information.</p>
Recommendation for Immediate Action	<p>1. Ensure all workers can access medical facilities nearby the factory with free of cost. 2. Ensure leave register as legally required is maintained. 3. Ensure register of loans is maintained as legally required. 4. Ensure register of advances is maintained as legally required</p>
Compliance Classifications	<p>Immediate Action Required</p>
Local Law	<p>1. Factories Act 1948- Section 45 (4): In every factory wherein more than five hundred workers are ordinarily employed, there shall be provided and maintained an ambulance room of the prescribed size, containing the prescribed equipment and in the charge of such medical and nursing staff as may be prescribed and those facilities shall always be made readily available during the working hours of the factory. 2. Factories Act 1949, Rule 87 - Register of leaves with wages should be maintained in Form 15. 3. Payment of Wages Act 1936 - Register of loan should be maintained. 4. Payment of Wages Act 1936 - Register of advances should be maintained in form III</p>

Benchmark ID	C.17
Benchmark Details	Employers shall ensure that all legally required payroll documents, journals and reports are available, complete, accurate and up-to date.
Finding Details	The date of hire is not not recorded on payroll documents.
Recommendation for Immediate Action	
Compliance Classifications	Sustainable Improvement Required
Local Law	
Benchmark ID	C.21.1
Benchmark Details	Employers shall provide all legally mandated benefits, including holidays, leave, bonuses, severance payments and 13th month payments to all eligible workers within legally defined time periods.
Finding Details	In a sample of 10 workers, it was observed that the wages for days worked prior to leaving employment and wages for unused leave days were paid between 20 and 47 days past the date of leaving employment. Workers should be paid within 2 working days from date of leaving employment as legally required.
Recommendation for Immediate Action	Ensure that wages for days worked prior to leaving employment and wages for unused leave days are paid to workers within 2 working days from leaving employment.
Compliance Classifications	Immediate Action Required

Local Law	Item 13(3) of Schedule 1 appended to Industrial Employment (Standing Orders) Rules 1946: Where the employment of any workmen is terminated, the wages earned by him and other dues, if any, shall be paid before the expiry of the second working day from the day on which his employment is terminated. Factories Act 1948, Chapter VIII section 79. Annual leave with wage (3)- If a worker is discharged or dismissed from service or quits his employment or is superannuated or dies while in service, during the course of the calendar year, he or his heir or nominee, as the case may be, shall be entitled to wages in lieu of the quantum of leave to which he was entitled immediately before his discharge, dismissal, quitting of employment, superannuation or death calculated at the rates specified in sub-section (1), even if he had not worked for the entire period specified in sub-section (1) or sub-section (2) making him eligible to avail of such leave, and such payment shall be made-- i) where the worker is discharged or dismissed or quits employment, before the expiry of the second working day from the date of such discharge, dismissal or quitting.
Benchmark ID	C.13.2
Benchmark Details	Written consent for voluntary wage deductions shall be documented in employee files.
Finding Details	Factory does not obtain written consent for the following deductions and these deductions are not legally mandated: (i) Medical treatment from non-resident workers (workers who do not reside in the provided dormitory) from the factory's hospital that is managed a charitable trust. (ii) Accommodation for resident workers (workers who reside in the provided dormitory). (iii) The cost of meals.
Recommendation for Immediate Action	Ensure written consent is obtained from workers for deductions that are not legally mandated.
Compliance Classifications	Immediate Action Required
Local Law	Minimum Wages Act, 1948- Section 12(1)

## 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. Grievances reported to supervisors are not documented. The Welfare Officers record reported grievances on a excel sheet and update this excel sheet when action is taken. There is no procedure to confirm if all grievances reported are documented in this excel sheet. 2. The grievance reporting boxes have transparent covers and these boxes are opened when a paper is noticed inside. There is no documented evidence to verify the date and time when the boxes were opened, who opened the box, and how many grievances were found.
Recommendation for Immediate Action	
Compliance Classifications	Sustainable Improvement Required
Local Law	
Benchmark ID	ER 17.1
Benchmark Details	Employers shall ensure that all supervisors are trained in national laws, regulations, and the Delta Code, and the appropriate practices to ensure compliance.
Finding Details	The factory does not have system in place to ensure that all grievances reported are documented and tracked.
Recommendation for Immediate Action	
Compliance Classifications	Sustainable Improvement Required
Local Law	



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	The factory does not provide health and safety/hygiene training to workers working in dormitory.
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	Managers and supervisors are not fully familiar with the workplace disciplinary system and they are not trained on appropriate disciplinary practices.
Recommendation for Immediate Action	
Compliance Classifications	Sustainable Improvement Required
Local Law	
Benchmark ID	ER.17.1

Benchmark Details	Employers shall have a clear and transparent system of worker and management communication that enables workers to consult with and provide input to management. This might include suggestion boxes, worker committees, designated spaces for worker meetings, union representatives, and meetings between management and workers' representatives.
Finding Details	1. The Chairman of the Grievance Committee is not nominated and rotated every alternate year, as legally required. 2. The NGO representative in Internal Complaint Committee does not meet legally defined guidelines for being a member. The NGO works on livelihood for tribes, care and support for HIV/AIDs infected persons, and does not have experience in dealing with issues related to harassment in the workplace. 3. Sensitization programs for prevention of harassment at workplace are not conducted. 4. The President of Internal Complaint Committee is not nominated. 5. The locks on the grievance boxes placed near the bathroom are rusted. This could indicate that the locks have not been opened recently.
Recommendation for Immediate Action	1. Ensure the Chairman of the Grievance Committee is designated and rotated every alternate year, as legally required. 2. Ensure NGO representative in Internal Complaint Committee meets legally defined guidelines for being a member. 3. Ensure sensitization programs for prevention of harassment at workplace are conducted. 4. Ensure President of Internal Complaint Committee is designated. 5. Ensure grievance boxes placed in toilets are opened periodically.
Compliance Classifications	Immediate Action Required

Local Law	1. Industrial Disputes Act 1947- Section 9C (3) : Setting up of Grievance Redressal Machinery- The chairperson of the Grievance Redressal Committee shall be selected from the employer and from among the workmen alternatively on rotation basis every year. 2. Sexual Harassment of women at workplace (prevention, prohibition & redressal) act 2013- Section 4(2)(c): Internal Committee shall consist of the following members to be nominated by the employer namely-one member from amongst non-governmental organizations or association committed to cause of women or a person familiar with issues related to sexual harassment. 3. Sexual harassment of women (prevention, prohibition & redressal) at workplace act 2013- section 19(c): Every employer shall organize workshops and awareness programs at regular intervals for sensitizing the employees with provisions of the act. 4. Sexual Harassment of women at workplace (prevention, prohibition & redressal) act 2013- Section 4(2)(a): Internal Committee shall consist of the following members to be nominated by the employer namely-a Presiding Officer who shall be a woman employed at a senior level at workplace from amongst the employees.
Benchmark ID	ER.17.6
Benchmark Details	Employers shall have a system in place to prevent retaliation against or discrimination towards workers who are filing grievances, including grievances regarding harassment, abuse, violations of factory procedures, compensation, or unsafe working conditions
Finding Details	There is a system in place to prevent retaliation against workers, however the factory does not have a written policy or procedures on non-retaliation towards workers filing grievances.
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	1. Factory does not have written policy on Recruitment or Hiring. Additionally, the procedures do not include the need for maintaining and monitoring of employment documentation, assigning responsibilities and for trainings of responsible persons. 2. Factory does not have written procedure on Non-Discrimination. 3. Factory does not have written procedure on Forced Labour. 4. Factory does not have written policy on Termination. 5. Factory does not have written and procedures on Compensation. 6. Factory has written job description prepared for all positions, however this job description is not shared with individual workers.
Recommendation for Immediate Action	
Compliance Classifications	Sustainable Improvement Required
Local Law	
Benchmark ID	ER.7.1
Benchmark Details	Employers shall have written policies and procedures with regard to performance reviews that outline the review steps and process, demonstrate linkages to job grading, prohibit discrimination, are provided in writing and seek feedback and agreement/disagreement from employees in writing, and that follow all local legal requirements.

Finding Details	1. The factory does not have written policy and procedures on performance review. 2. The factory conducts performance reviews for only some workers. Sewing machine operators are evaluated on a daily basis by the industrial engineering team. Sewing machine operators who meet the designated scores for at least five days in the month are included on a list that is forwarded to the HR team for consideration for wage increments. There is no performance review conducted for workers in other departments such as the helpers, cutting machine operators, ironers, quality checkers, and packers.
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	<p>1. Factory does not have policies and procedures on promotion, demotion, and job reassignment. 2. In a sample of 20 workers' evaluation results from January 2023, there were 4 workers downgraded from 'B+' to 'B' grade and 1 worker was downgraded from 'A+' to 'B+'. However, these workers were provided with wage increments. Management could not explain clearly the grading process and provision of increments and all the sewing machine operators interviewed were not aware of the evaluation process and grading system. The evaluation sheet is completed by pencil and form is only signed by the manager of the industrial engineering team. Performance reviews of workers have not been conducted since February 2023. Management shared that none of the sewing machine operators achieved required scores during the months from February 2023 until May 2023. 3. Though management shared that workers are promoted, the process for promotions could not be shared by the team with assessors and no documentation was made available for review of procedures followed for workers who were promoted. In absence of documentation, assessors could not verify salary increase and benefits. For workers who are not included in promotion process, increments are provided based on periodic wage revisions notified by the local government.</p>
Recommendation for Immediate Action	
Compliance Classifications	Sustainable Improvement Required
Local Law	
Benchmark ID	ER.4
Benchmark Details	<p>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.</p>

Finding Details	The FLA Code was not posted throughout the workplace's common areas. The FLA Code was only posted on a notice board in building number 1. This posting was small and not easily identifiable or readable for workers.
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

1. Though factory has a filing system, employment documents are not filed properly and could not be provided easily to assessors. Employment documents and documents pertaining to Recruitment, Hiring and Personnel Development are not filed properly for quick and easy access. Post repeated reminders, assessors could obtain documents over the 2 days of assessment. 2. Factory does not maintain approval certificate (issued by local government of state where they are located) of the external skill development center from where workers are recruited. 3. Upon hiring, new workers are provided with a handwritten (for domestic migrant workers and printed for local workers) letter of hiring as trainee (operator) signed by administration manager. The letter is not on the factory letter head and does not mention name of factory and name of management representative signing the letter. Legally this letter is not acceptable. 4. Condition # 6 states in the letter signed with trainee operators states that trainees will be required to work overtime as and when needed. Condition # 2 states that the social security number will not be changed if a worker uses up to 10 days of leave and can change if workers use more than 10 days of leave. 5. The translated handwritten terms of employment in "Hindi" language signed with migrant workers (hired as trainee operators) had numerous errors with construction of sentences resulting in incorrect communication and understanding of terms of employment. E.g. #1- Date of payment of wage reflects date of hiring, E.g. # 2 - name of worker reflects date of hiring. E.g. # 3 - Nature of job reflects daily wage amount to be paid. The contents of the letter cannot be clearly read and understood. Management representatives who signed the letters, could not read the contents as they do not read the language. 6. Factory has a monthly incentive scheme for employees who refer local and migrant workers to the factory. For local workers, this incentive is calculated on a 3 months period and for domestic migrant workers on a monthly basis. Per conditions of this scheme, the employee's incentive is not paid if the referred person does not work on all working days in each of 3 months period. This practice could result in undue stress on new worker to work on all days else the risk of losing incentive for workers who refer new workers. 7. Service card of workers is not updated with wage details. 8. Management representative signs appointment letter of all workers including domestic migrant workers however the representative cannot himself read or understand the languages spoken by migrant workers and hence risk of incorrect terms being signed cannot be ruled out.



Recommendation for Immediate Action	1. Ensure that employment documents are filed properly for all workers and are easily accessible. 2. Ensure factory maintains approval certificate of local skill development centers (issued by local government of state where they are located) from where workers are recruited. 3. Ensure migrant workers are employed as full-time employees from date of hiring. Ensure legally accepted appointment letters are provided and length of service of workers is calculated from date of hiring. 4. Ensure legally approved terms of employment are recorded in appointment letters of workers. 5. Ensure contents of appointment letters are correctly translated in "Hindi", the language read and understood by migrant workers (hired as trainee operators). 6. Ensure workers are not under stress for receiving incentives unless referred workers work for a defined period. 7. Ensure service card of workers is updated with wage details. 8. Ensure management representative who signs appointment letter of all workers including domestic migrant workers can himself read and understand the terms of employment recorded in languages spoken by migrant workers to avoid risk of incorrect terms being signed.
Compliance Classifications	Immediate Action Required
Local Law	6. Industrial Employment (standing orders) rules 1946- Form V- appended to Schedule 1-B: Service Card: Every industrial establishment shall maintain a service card in respect of each workman in the form appended to these orders, wherein particulars of that workman shall be recorded with the knowledge of that workman and duly attested by an officer authorized in this behalf together with date.
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	Workers are not consulted or integrated in the decision-making process of aspects concerning workplace and working conditions (e.g., creation or revision of policies and procedures, changes on production processes, hours of work, etc.)

Recommendation for Immediate Action	
Compliance Classifications	Sustainable Improvement Required
Local Law	
Benchmark ID	ER.12
Benchmark Details	For any contract/contingent/temporary worker who becomes a permanent employee, seniority and other fringe benefits eligibility must be dated from the first date as a contract/contingent/temporary worker and not from the first day of permanent employment.
Finding Details	Migrant workers are systematically hired as full-time employees of the factory after the 30 day training period from date of hiring. These workers are provided with an identity card that confirms them as employees of the factory and there is a contribution for medical benefit that is deducted from their wages. This practice entitles them to be called as full-time employees of the factory. Following the 30 days training period, workers sign an official employment letter with factory name, date of hire, and all information on the terms of employment. The date when workers are hired as full-time employees is considered as start date of employment rather than the start of work as trainees 30 days earlier. This practice impacts the calculation on length of employment and entitlement of legal benefits (leaves and bonuses) and gratuity (part of terminal dues) of workers which is calculated on length of service of workers.
Recommendation for Immediate Action	
Compliance Classifications	Sustainable Improvement Required
Local Law	
Benchmark ID	ER.3.3

Benchmark Details	Workers should be provided with written documentation that substantiates all the issues covered in orientation briefings.
Finding Details	Workers are not provided with any written documentation that substantiates all issues covered in orientation. New workers confirmed attending orientation but these workers could not recollect issues discussed except for wages payable and working hours. Additionally, the factory does not maintain a attendance roster for orientation briefings and there is no information of the date and times for when these orientation briefings are conducted.
Recommendation for Immediate Action	
Compliance Classifications	Sustainable Improvement Required
Local Law	
<b>Forced Labor (F)</b>	
Benchmark ID	F.7.1.6
Benchmark Details	Employers shall not utilize, nor shall they use employment agencies or intermediaries that utilize, practices that restrict any worker's freedom of movement, or ability to terminate their own employment, or that create a threat of penalty. Examples of such practices include, but are not using false information to recruit workers.

Finding Details	There is no documented evidence that confirms that employment terms are communicated to migrant workers who are recruited by government approved private training centers from other parts of the state. Management shared that information on working hours, wages and accommodation are communicated verbally by a regional factory representative based out of a training center. None of sampled workers interviewed were aware of the employment terms and none of the sampled workers were aware of the presence of factory representative. Nine workers were hired on June 28, 2023, which was first day of the assessment, and these new hires were interviewed by the lead assessor. These workers were unaware of terms of employment and monthly wages that will be paid to them. They were only aware of accommodation and meal facility that will be provided.
Recommendation for Immediate Action	Ensure that employment terms are communicated to newly hired migrant workers and related documentation is maintained.
Compliance Classifications	Immediate Action Required
Local Law	
Benchmark ID	F.3.4
Benchmark Details	Interest may not exceed the cost of administering the loan program and any tax liabilities incurred by the program, and according to legal limits.
Finding Details	For workers employed between 1- 2 years, factory charges 5 % interest on loans. For workers employed between 2- 3 years, factory charges 4 % interest on loans. For workers employed between 3- 4 years, factory charges 3 % interest on loans. For workers employed between 4- 5 years, factory charges 2 % interest on loans. Above 5 years - No interest charged. Monthly deduction from wages is fixed at INR 1000 per month and the interest applicable based on years of employment. Management could not share the justification for the percentage of interest charged.
Recommendation for Immediate Action	

Compliance Classifications	Sustainable Improvement Required
Local Law	

## Freedom Of Association And Collective Bargaining (FOA)

Benchmark ID	FOA.1.1
Benchmark Details	Employers shall comply with all national laws, regulations and procedures concerning freedom of association and collective bargaining. national laws, rules, and procedures protecting the rights of workers to organize and bargain collectively. Where local laws and FLA standards differ, the employer is expected to follow the highest applicable standard.
Finding Details	The written procedures on Freedom of Association do not include information on the formation of worker representative committees.
Recommendation for Immediate Action	
Compliance Classifications	Sustainable Improvement Required
Local Law	

## Harassment Or Abuse (H/A)

Benchmark ID	H/A.1.1
Benchmark Details	Employers shall comply with all national laws, regulations and procedures concerning discipline, violence, harassment and abuse, including that which is gender-based
Finding Details	Penal Consequences of Harassment at workplace is not posted, which is legally required.

Recommendation for Immediate Action	Ensure penal consequences of harassment at workplace are posted in all work areas.
Compliance Classifications	Immediate Action Required
Local Law	Sexual harassment of women (prevention, prohibition & redressal) at workplace act 2013- section 19(b): Every employer shall display at any conspicuous place, the penal consequences of sexual harassment.
Benchmark ID	H/A.8.3
Benchmark Details	Employers, shall develop, implement and monitor policy and procedures for eliminating the risk of violence, harassment, and abuse in the workplace. Policies and procedures shall include a clear statement that violence, harassment, and abuse will not be tolerated, procedures for the investigation of allegations, and measures to protect any complainants, victims, and witnesses.
Finding Details	Factory does not have written procedure on Harassment and Abuse.
Recommendation for Immediate Action	
Compliance Classifications	Sustainable Improvement Required
Local Law	

## Health, Safety And Environment (HSE)

Benchmark ID	HSE.30.1
Benchmark Details	Employers shall develop, maintain, and regularly review health, safety, and environmental policies to ensure that they comply with all national laws, regulations and the FLA Workplace Code concerning health, safety, and environmental standards, regulations and procedures.

Finding Details	Written procedures on health and safety do not include information on inspection and monitoring of machines, vehicles, fall equipment, and checks to reduce risks in workplaces. In addition, these procedures do not include information the requirements around trainings and the assignment of responsibilities for health and safety matters.
Recommendation for Immediate Action	
Compliance Classifications	Sustainable Improvement Required
Local Law	
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	1. Members of the fire fighting team are not assigned responsibilities. 2. The factory does not provide training on specific responsibilities to fire fighting team.
Recommendation for Immediate Action	
Compliance Classifications	Sustainable Improvement Required
Local Law	
Benchmark ID	HSE.5.1.6
Benchmark Details	All applicable, legally required or recommended elements of safe evacuation shall be complied with, including all the following elements: evacuation procedures and fire drills
Finding Details	Factory does not conduct an assessment after the drill to learn how to improve the evacuation process.

Recommendation for Immediate Action	
Compliance Classifications	Sustainable Improvement Required
Local Law	
Benchmark ID	HSE.5.1.4
Benchmark Details	All applicable, legally required or recommended elements of safe evacuation shall be complied with, including all the following: ensuring aisles/exits are not blocked and that workers are not blocked within their workstations
Finding Details	1. The assessor observed that the packing area was congested with packing boxes and bins. This could restrict workers' access to aisles/exits in an evacuation. 2. For 10% of work stations, the access to passages behind the sewing lines are restricted by the placement of chairs of machine operators. For an estimated 2% of workstations in sewing section, the sewing machine operators were sitting in close proximity to one another, either back-to-back or at right angles to each other. This seating arrangement could restrict workers' access to aisles/exits when chairs are pushed back to stand.
Recommendation for Immediate Action	1. Ensure that the packing area is decongested in order for workers to have free access to passages. 2. Ensure that workers have access to passages behind the sewing lines to reach the designated exits in case of emergencies.
Compliance Classifications	Immediate Action Required
Local Law	Factories Act, 1948- Section 38 (1) (a): In every factory, all practicable measures shall be taken to prevent outbreak of fire and its spread, both internally and externally, and to provide and maintain safe means of escape for all persons in the event of a fire.
Benchmark ID	HSE.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	The chemical tanks do not have adequate secondary containment. The assessor observed distilled water, compressor oil, stabilizer oil and Genset machine oil being store together inside one shallow tray used as secondary container. Additionally, there were 5 out of 8 diesel barrels stored near power generators that did not have secondary containers.
Recommendation for Immediate Action	Ensure that secondary containment with adequate capacity is provided.
Compliance Classifications	Immediate Action Required
Local Law	Factories Act, 1948-Section 7A (2b): Every occupier should have arrangement in the factory for ensuring safety and absence of risk to health in connection with the use, handling, storage and transport of articles and substances.
Benchmark ID	HSE.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. The factory did not provide adequate soap and drying facilities in the bathrooms. There was no soap in the bathroom and toilet paper rolls are provided near the hand-wash areas as a method to dry hands. 2. Food samples for breakfast and lunch were seen stored in the refrigerator without any labels on the containers recording the date and time for these meals. Management explained that the factory did not store food samples for more than 48 hours.
Recommendation for Immediate Action	1. Ensure soap and hand drying facilities are provided in toilets. 2. Ensure food samples are stored for the adequate duration of time to prevent food born illness.

Compliance Classifications	Immediate Action Required
Local Law	Factories Act, 1948-Section 7A (2b): Every occupier should have arrangement in the factory for ensuring safety and absence of risk to health in connection with the use, handling, storage and transport of articles and substances.
Benchmark ID	HSE.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	Thermal comfort assessment conducted on August 1, 2022 does not provide information on the floor level and the production process where the temperature was measured. Assessment report only refers to the building number.
Recommendation for Immediate Action	Ensure thermal comfort assessments are conducted in all work areas.
Compliance Classifications	Immediate Action Required
Local Law	Factories Act, 1948-Section 13 (1) (b): Effective and suitable provision shall be made in every factory for securing and maintaining in every workroom such a temperature as will secure to workers therein reasonable conditions of comfort and prevent injury to health.
Benchmark ID	HSE.14.1
Benchmark Details	All production machinery, equipment and tools shall be properly guarded and regularly maintained.

Finding Details	1. The factory does not inspect the Fitness Certificate of external vehicles entering the factory. This could create a risk for pedestrians who are walking within the factory. 2. Traffic lanes are not marked on the roads between buildings and area in front of dormitory. Vehicles are used near the kitchen that is located adjacent to dormitory and on the road leading to the building used for storing raw material and waste material. Convex mirrors are not installed at blind turns. 3. Workers were seen walking on the main road outside the marked traffic lanes.
Recommendation for Immediate Action	1. Ensure fitness certificates of all vehicles are inspected. 2. Ensure traffic lanes are marked on all roads inside the factory and convex mirrors are installed on blind turns. 3. Ensure human traffic use designated lanes.
Compliance Classifications	Immediate Action Required
Local Law	Factories Act 1948- Section 7A(2A): Every occupier shall ensure, so far as is reasonably practicable, the health, safety and welfare of all workers while they are at work in the factory without prejudice to the generality of the provisions of subsection (1), the matters to which such duty extends, shall include-the provision and maintenance of plant and systems of work in the factory that are safe and without risks to health.
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 fire fighting team does not have the appropriate equipment to fight fires. The fire fighting team is not provided PPE such as the breathing apparatus.
Recommendation for Immediate Action	Ensure that PPE is provided to fire fighting team.
Compliance Classifications	Immediate Action Required

Local Law	Factories Act, 1948-Section 7A (2b): Every occupier should have arrangement in the factory for ensuring safety and absence of risk to health in connection with the use, handling, storage and transport of articles and substances.
Benchmark ID	HSE.27.3
Benchmark Details	Children must not visit parents in workplace areas.
Finding Details	The factory does not provide training to childcare workers on health, safety, and hygiene.
Recommendation for Immediate Action	
Compliance Classifications	Sustainable Improvement Required
Local Law	
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. The factory does not separate hazardous and non-hazardous waste. The assessor observed empty chemical and paint containers being kept with cardboard and wooden boxes in the waste material storage area. 2. The factory does not provide training to Health & Safety committee members. 3. The assessor observed a cargo vehicle being driven inside the factory with open doors. Open doors on a moving vehicle could be a risk for loaded goods falling out on the road and injuring workers. 4. The dormitory conditions do not meet legal requirements. Workers who reside in the dormitory are not provided with mattresses. Workers use mats woven from plastic strands, thatch or thick bed sheets instead of mattresses on the metal bunker beds. Wardrobes and cupboards are not provided to workers to store their personal belongings. The assessor observed bags, clothing, and other belongings tied by rope across the rooms or on the floor. Only a small locker is provided for each worker to store valuables. 5. Sanitary pads are provided in vending machines for 1 out of 5 female toilet blocks. Workers can obtain pads by using INR 5 coins in the vending machine. Workers expressed concerns with adequate and easy access to sanitary pads as the vending machine is provided only in 1 block. 6. Bins in female toilets are open bins. Used pads were seen on the floor in toilets. 7. The load capacity is not marked on fabric and accessories storage racks to warn workers from overloading racks. 8. Logs of fire evacuation drills indicated that drills are conducted on an announced basis once in 2 months . These evacuation drills are conducted at 4:30 pm for day shift workers and at 8:05pm for night shift workers instead of conducting drills on varied timings during shifts and alternating on an unannounced basis. 9. There are asbestos roofing sheets used in material storage area. Few of the sheets were broken creating a risk exposure to health of workers. 10-The factory does not provide a designated feeding area or play area for mothers in the child care areas. The childcare facility is currently not in use and is locked

<p>Recommendation for Immediate Action</p>	<p>1. Ensure empty chemical and paint containers are kept separate from cardboard and wooden boxes in the waste material storage area. 2. Ensure factory provides training to Health &amp; Safety committee members. 3. Ensure doors of cargo vehicles are locked while being driven inside the factory. 4. Ensure mattress, wardrobes, and/or cupboards are provided to workers who reside in the dormitory. 5. Ensure sanitary pads are provided through vending machines in all female toilet blocks. Workers should not be required to pay for these sanitary pads. 6. Ensure bins with closed lids are provided in female toilets 7. Ensure load capacity is marked on fabric and accessories storage racks to warn workers from overloading racks. 8. Ensure evacuation drills are conducted at varied times during shifts with some being conducted on an unannounced basis. 9. Ensure asbestos roofing sheets are not used in material storage area. 10-Ensure that creche is provided with all legally required facilities.</p>
<p>Compliance Classifications</p>	<p>Immediate Action Required</p>

## Local Law

1. Factories Act, 1948-Section 7A (2b): Every occupier should have arrangement in the factory for ensuring safety and absence of risk to health in connection with the use, handling, storage and transport of articles and substances. 2. Factories Act, 1948-Section 7A (2b): Every occupier should have arrangement in the factory for ensuring safety and absence of risk to health in connection with the use, handling, storage and transport of articles and substances. 3. Factories Act, 1948-Section 7A (2b): Every occupier should have arrangement in the factory for ensuring safety and absence of risk to health in connection with the use, handling, storage and transport of articles and substances. 4. Factories Act, 1948-Section 7A (2b): Every occupier should have arrangement in the factory for ensuring safety and absence of risk to health in connection with the use, handling, storage and transport of articles and substances. 5. Model Factories Rules, section 19 ( 3) and section 112 of Factories Act 1948 – Rule 44c- Sanitary napkins of adequate quantity conforming to Indian standards shall be provided and maintained in women’s toilet for their use and the same replenished on daily basis. (d) – Disposable bins with lids shall be provided within the women’s toilets for collection of used napkins. Used napkins shall be disposed off as per procedure approved by inspector. 6. Factories Act, 1948-Section 7A (2b): Every occupier should have arrangement in the factory for ensuring safety and absence of risk to health in connection with the use, handling, storage and transport of articles and substances. 7. Factories Act, 1948-Section 7A (2b): Every occupier should have arrangement in the factory for ensuring safety and absence of risk to health in connection with the use, handling, storage and transport of articles and substances. 8. Factories Act, 1948- Section 38 (2): Effective measures shall be taken to ensure that in every factory all the workers are familiar with the means of escape in case of fire and have been adequately trained in the routine to be followed in such cases. 9. Factories Act, 1948-Section 7A (2b): Every occupier should have arrangement in the factory for ensuring safety and absence of risk to health in connection with the use, handling, storage and transport of articles and substances. 10-The Tamil Nadu Factories Rules 1950 Rule 73 - (7) The crèche shall be adequately furnished and equipped and in particular there shall be one suitable cot or cradle with the necessary bedding for each child (provided that for children over two years of age it will be sufficient if suitable bedding is made available) at least one chair or equivalent seating accommodation for the use of each mother while she is feeding or attending to her child and a sufficient supply of suitable toys for the older children. (8) A suitably fenced and shady open air playground shall be

	provided for the older children.
Benchmark ID	HSE.28
Benchmark Details	Employers shall create a system to ensure that all necessary Health and Safety protections are provided for external contractors; including protection when working within , confined spaces, maintenance issues, and general Health and Safety Issues.
Finding Details	There are no safety instructions provided to contractors employed for welding and painting the buildings.
Recommendation for Immediate Action	Ensure safety instructions are provided to contractors employed for welding and painting the buildings.
Compliance Classifications	Immediate Action Required
Local Law	Factories Act, 1948-Section 7A (2b): Every occupier should have arrangement in the factory for ensuring safety and absence of risk to health in connection with the use, handling, storage and transport of articles and substances
Benchmark ID	HSE.14.3
Benchmark Details	Employers shall ensure safety instructions are either displayed or posted near all machinery or are readily accessible to the workers in language(s) spoken by workers.
Finding Details	Safety instructions are not posted near machinery, except for laser cutting machine.
Recommendation for Immediate Action	Ensure safety instructions are posted near all machinery.
Compliance Classifications	Immediate Action Required
Local Law	Factories Act, 1948-Section 7A (2b): Every occupier should have arrangement in the factory for ensuring safety and absence of risk to health in connection with the use, handling, storage and transport of articles and substances.



Benchmark ID	HSE.29
Benchmark Details	Employers shall provide all necessary protection for workers when working at heights, confined spaces, and other high-risk areas.
Finding Details	<p>1. The entry to confined spaces are covered with metal covers but there are no fencing installed. There is signage that designates confined spaces. 2. While the factory has written procedures for entering confined spaces safely, the factory does not monitor or provide documentation for when persons enter the confined space to clean the tanks. 3. There is 1 helmet available for use by 5 electricians and 8 mechanics. 4. The factory has not provided safety belts and safety rope. 5. Maintenance equipment (such as power drill machines and tools) used by maintenance workers are not inspected for safe operations. 6. The emergency stop was not functional on the curing machine located in the printing section. The belt kept moving post activation of the emergency stop switch by lead assessor. There were blinking lights ion the power supply panel that indicated an error but no priority was given to fixing the emergency stop function.</p>
Recommendation for Immediate Action	<p>1. Ensure that fencing is installed at all entries to confined spaces. 2. Ensure documentation is maintained when persons enter confined space to clean the tanks. 3. Ensure the adequate number of helmets are available for use by all electricians and mechanics. 4. Ensure safety belts and safety rope are provided to maintenance workers. 5. Ensure all maintenance equipment (such as power drill machines and tools) used by maintenance workers are inspected for safe operation. 6. Ensure the emergency stop is functional at all times on the curing machine in printing section and that future errors in the power supply panel are attended to immediately.</p>
Compliance Classifications	Immediate Action Required

Local Law	1.Factories Act, 1948- Section 33(1): In every factory every fixed vessel, sump, tank, pit or opening in the ground or in a floor which, by reason of its depth, situation, construction or contents, is or may be a source of danger, shall be either securely covered or securely fenced. 2.Factories Act, 1948-Section 7A (2b): Every occupier should have arrangement in the factory for ensuring safety and absence of risk to health in connection with the use, handling, storage and transport of articles and substances. 3.Factories Act, 1948-Section 7A (2b): Every occupier should have arrangement in the factory for ensuring safety and absence of risk to health in connection with the use, handling, storage and transport of articles and substances. 4.Factories Act, 1948-Section 7A (2b): Every occupier should have arrangement in the factory for ensuring safety and absence of risk to health in connection with the use, handling, storage and transport of articles and substances. 5.Factories Act, 1948-Section 7A (2b): Every occupier should have arrangement in the factory for ensuring safety and absence of risk to health in connection with the use, handling, storage and transport of articles and substances. 6.Factories Act, 1948-Section 7A (2b): Every occupier should have arrangement in the factory for ensuring safety and absence of risk to health in connection with the use, handling, storage and transport of articles and substances.
Benchmark ID	HSE.17.2
Benchmark Details	Employers shall train workers in proper lifting techniques, and items such as lifting belts shall be provided.
Finding Details	In the past 12 months, training on Ergonomics was provided to 321 out of 1234 workers. The factory does have a plan to train all workers but has not provided this training to all workers. However, there has been no training on lifting techniques provided.
Recommendation for Immediate Action	
Compliance Classifications	Sustainable Improvement Required
Local Law	
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	There is only one glass provided for all workers in the drinking water stations in every work area.
Recommendation for Immediate Action	Ensure adequate hygienic arrangements to drink water are made at every drinking water station.
Compliance Classifications	Immediate Action Required
Local Law	Factories Act, 1948-Section 18 (1) : In every factory effective arrangements shall be made to provide and maintain at suitable points conveniently situated for all workers employed therein a sufficient supply of wholesome drinking water.
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 HS&E risk assessment was conducted and it did include information related to severity, possibilities, and control measures. However, the assessment did not include information on the number of people who could be impacted and the frequency of activity in work areas to more accurately measure the risks.
Recommendation for Immediate Action	
Compliance Classifications	Sustainable Improvement Required
Local Law	

Benchmark ID	HSE.7
Benchmark Details	Workers shall be provided at no cost with all the appropriate and necessary personal protective equipment (e.g. gloves, eye protection, hearing protection, respiratory protection) to effectively prevent unsafe exposure (e.g. inhalation or contact with solvent vapors, noise, dust) to health and safety hazards, including medical waste.
Finding Details	Factory does not have a procedure in place for periodic inspection of fall protection equipment.
Recommendation for Immediate Action	Ensure that fall protection equipment is inspected periodically.
Compliance Classifications	Immediate Action Required
Local Law	Factories Act, 1948-Section 7A (2b): Every occupier should have arrangement in the factory for ensuring safety and absence of risk to health in connection with the use, handling, storage and transport of articles and substances.
Benchmark ID	HSE.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. A majority of the overlock machine operators and 2 out of 6 snap button machine operators were not using the eye shield provided. 2. The factory has a plan to train all workers but not all workers have been trained. In the past 12 months, training on PPE was provided to 922 out of 1234 workers.
Recommendation for Immediate Action	1. Ensure that overlock machine operators and snap button machine operators use eye shield provided. 2. Ensure that all workers are trained on use of PPE.
Compliance Classifications	Immediate Action Required

Local Law	Factories Act, 1948-Section 7A (2b): Every occupier should have arrangement in the factory for ensuring safety and absence of risk to health in connection with the use, handling, storage and transport of articles and substances.
Benchmark ID	HSE.14.2
Benchmark Details	Workers shall receive training in the proper use and safe operation of machinery, equipment and tools they use.
Finding Details	Factory does not provide training to persons with high-risk responsibilities (use of lockout-tagout, working at heights and in confined spaces).
Recommendation for Immediate Action	Ensure training is provided to persons with high risk responsibilities (use of lockout-tagout, working at heights and in confined spaces).
Compliance Classifications	Immediate Action Required
Local Law	Factories Act, 1948-Section 7A (2b): Every occupier should have arrangement in the factory for ensuring safety and absence of risk to health in connection with the use, handling, storage and transport of articles and substance.
Benchmark ID	HSE.17.1
Benchmark Details	Workstations, including seating and standing arrangements and reach required to obtain tools, shall be designed and set-up in such a manner as to minimize bodily strains.
Finding Details	1. Sitting areas are not provided to workers with standing jobs. 2. The auditor observed that approximately 30% of the sewing machine operators use chairs without back rests, and approximately 10% of workers in checking stations along with 90% of workers in embroidery section with standing jobs are not provided with anti-fatigue mats. There were few workers with standing jobs in checking sections that were using high-heeled, hard-soled footwear and there were only a few workers seen resting ones feet on the lower frame of tables. 3. Work stations are not adjustable in height to suit the height of workers.

Recommendation for Immediate Action	1. Ensure sitting areas are provided to workers with standing jobs. 2. Ensure all sewing machine operators use chairs with back rest and all workers with standing jobs are provided with anti-fatigue mats. 3. Ensure workstations are adjustable in height to suit height of workers.
Compliance Classifications	Immediate Action Required
Local Law	1. Factories Act 1948- Section 44 (1): In every factory suitable arrangements for sitting shall be provided and maintained for all workers obliged to work in a standing position, in order that they may take advantage of any opportunities for rest which may occur in the course of their work. 2. Factories Act, 1948-Section 7A (2b): Every occupier should have arrangement in the factory for ensuring safety and absence of risk to health in connection with the use, handling, storage and transport of articles and substances. 3. Factories Act, 1948-Section 7A (2b): Every occupier should have arrangement in the factory for ensuring safety and absence of risk to health in connection with the use, handling, storage and transport of articles and substances.

## Hours Of Work (HOW)

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	The factory does not have adequate time recording systems for migrant workers. Migrant male workers who reside outside the factory eat at the canteen located inside the factory. Interviewed workers confirmed that they do not record their entry and exit and visit the factory to access the canteen for meals. Unrecorded entry and exit time from factory could be a risk for unrecorded working hours and safety issues.
Recommendation for Immediate Action	

Compliance Classifications	Sustainable Improvement Required
Local Law	
Benchmark ID	HOW.22.1
Benchmark Details	Employers shall have in place policies for managing all working hour, overtime, and leave records in normal and exceptional circumstances.
Finding Details	The factory does not have written procedures on hours of work.
Recommendation for Immediate Action	
Compliance Classifications	Sustainable Improvement Required
Local Law	
Benchmark ID	HOW.9.2
Benchmark Details	Employers shall take reasonable steps to inform workers about the nature and expected duration of the circumstances sufficiently in advance to allow workers to make alternative plans.
Finding Details	Workers are informed about overtime requirements during lunch breaks instead of being informed prior to start of their shift.
Recommendation for Immediate Action	
Compliance Classifications	Sustainable Improvement Required
Local Law	

