

Fair Labor Association: Independent External Factory Assessment

Assessment Date :

25 Jul 2023



Factory Information

FLA Affiliates	Gymshark Ltd.
Country	Bangladesh
Number of Workers	4767

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

FLA Code Element	Number of Violations
Compensation (C)	2
Employment Relationship (ER)	15
Freedom Of Association And Collective Bargaining (FOA)	1
Health, Safety And Environment (HSE)	27
Hours Of Work (HOW)	6

Assessment Information

Assessor	Insync
Assessment Date	25 Jul 2023

Assessment Purpose

Factory Assessment (In-Person)

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	<p>1. Review of employment documents for 13 sampled workers revealed discrepancies in the termination process and in the calculation of terminal dues for 1 worker. This worker resigned from employment on June 3, 2023, requesting to leaving employment effective July 1, 2023, which was accepted by HR Department. Officially her last date of employment was June 30, 2023. She worked on June 3, 4, 15, 2023 (for 3 days) and was absent from work effective June 16, 2023. On June 26, 2023, management issued a warning letter for misconduct for unauthorized absenteeism and asked her to return to work. The 2nd and 3rd warning letters were sent to her on July 9, 2023, and July 17, 2023, which are post her date of leaving employment and hence are not legally valid. Having not receiving a response from the worker, the factory considered her last date of work to be June 16, 2023, and terminal dues were calculated and paid instead of considering the last date at a work as June 30, 2023. With this practice, the worker received BDT 3078 (USD 30) less than total amount due. During assessment, this finding was discussed with management, who initially disagreed with the findings and later agreed, and the unpaid amount was paid to worker's bank account prior to close of assessment. Management shared documented evidence of payment with assessors. 2. Wages including 100% of unspent earned leave are paid to workers, rather than 50% of unspent earned leave as legally permitted.</p>
Recommendation for Immediate Action	<p>1. Ensure terminal dues are calculated accurately and paid to workers. 2. Ensure wages include only 50% of unused leave is paid in cash, as legally allowed.</p>

Compliance Classifications	Immediate Action Required
Local Law	Bangladesh Labor Rules 2015- Rule 107 (2): Any worker can receive cash money for unspent earned leave. However, more than the half of the unspent earned leave cannot be cashed out at the end of the year. This type of cashing can be done only once in a 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	Terminal dues were not paid within legally defined timelines. 1. Payment of terminal dues (service benefits, wages for unused leave) was paid 3 days past the legally defined timeline for 3 out of 13 sampled workers. These wages need to be paid within 7 days of leaving employment. 2. Payment of terminal dues was paid for 4 out of 13 sampled workers prior to providing final warning letter for their terminated employment due to unauthorized absenteeism.
Recommendation for Immediate Action	1. Ensure terminal dues are paid within legally defined timelines. 2. Ensure terminal dues are paid after completing proper procedures based on applicable law for terminated employment.
Compliance Classifications	Immediate Action Required
Local Law	Bangladesh Labor Rules 2015- Rule 112 (4): If a worker's job is scrapped/cancelled due to layoff, discharge, termination, expel, resignation by the worker or for any other reasons, the arrear wages of the worker have to be paid within 7 (seven) working days after cancellation of the job and the compensation and other dues must be paid within maximum 30 (thirty) working days after cancellation of the job.
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	Grievances reported directly using the help line is logged by staff located at head office and shared with factory management. However, information on action taken was not available with factory management team.
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	There were no documentations that recorded grievance processes. Grievances were submitted through direct help line that managed by staff at head office and reported to factory management. However, documentation on actions taken for handling grievances were not available at the factory.
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	Not all workers in the factory receive training on the Code of Conduct. Over the last 12 months, only 186 workers out of 4767 workers received training on the Code of Conduct.
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 aware there is disciplinary systems in place, however they are not fully aware on how to apply it appropriately as all workplace disciplinary process are managed by the HR Team.
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	Not all supervisors have been trained in the Code of Conduct. Only 116 out of 385 supervisors were trained on the Code of Conduct in past 12 months.
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	<p>1. Grievance boxes are opened twice every month. These fixed timelines may discourage workers with high priority or time sensitive concerns from using this grievance mechanism. 2. Log of opening of grievance boxes with pictures is not maintained to verify when they are opened and to confirm if all grievances reported are collected and logged. 3. Minutes of meetings of Grievance Committee does not include information on grievances received and action taken and does not include the responsibilities of the committees and steps to handle grievances. 4. The 6 member Grievance Committee only has 1 female worker representing a factory that has 4767 workers, 2 supervisors and 3 management representatives. One worker representing 4767 workers (comprising 49 % male workers and 51 % of female workers) may not be enable workers to provide input to management. 5. Most workers are not fully aware of all grievance channels available and channels to contact affiliate directly.</p>
Recommendation for Immediate Action	

Compliance Classifications	Sustainable Improvement Required
Local Law	
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	The factory does not have written policy and procedures on prevention of retaliation or discrimination against workers who are 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	<p>1. The written procedures under Recruitment and Hiring does not include information on the following requirements: (a) assignment and training of responsible persons; (b) periodic review of employment documentation and (c) the training of all employees. 2. Factory does not have written procedures on Non-Discrimination. 3. Factory does not have written procedures on Forced Labor. 4. Written procedures on child labour does not include information on assigning responsibilities and training of employees. 5. Procedures on remediation of child labour does not include information on assigning responsibilities, maintaining documentation and the training of employees. 6. Factory does not have written procedures on Termination and Retrenchment. There is no information on calculation of terminal dues, timelines, mode of payments, responsible persons and need for training of employees.</p>
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	1. Factory does not have written policy however had written procedures on workplace conduct.
Recommendation for Immediate Action	1. Ensure there is written policy on workplace conduct.
Compliance Classifications	Immediate Action Required
Local Law	

Benchmark ID	ER.6.1
Benchmark Details	Employers shall have written policies and procedures and implement practices that encourage ongoing training of all categories of workers with the goal of raising or broadening skills in order to advance in their careers within the factory or beyond.
Finding Details	Written policy on training and development does not include the requirement to assign and train responsible team. Procedures do not list the documentation that will be maintained.
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. Factory does not have written policy and procedures for performance reviews. 2. There is no documentation of performance evaluations being conducted. Presently, the amount of increment is only based on verbal feedback from supervisors and production managers rather than written feedback. 3. Only some workers have received performance reviews, not all workers. Workers from seamless production processes (this includes knitting, dyeing, and sewing) are considered for promotions and their performance is evaluated annually for skill levels achieved for multiple operations.
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 written policy and procedures for promotions, demotions and job reassignments. 2. From review of increment summary sheet for May - June 2023, it was noted that workers are categorized in multiple grades with the amount of increments recommended varied. In some instances, workers with similar grades received different amounts of increment and workers with separate grades received similar amounts of increment. Without related and completed documentation, it cannot be verified if the increments provided are fair and non-bias. 2. Workers from seamless production processes (which include knitting, dyeing and sewing sections) are considered for promotions and their performance is evaluated annually based on skill levels of workers for multiple operations. However, there is no defined criteria (for evaluation and determining results) based on which skills are evaluated. Though completed skill matrix for each worker is maintained on individual file of workers, it does not provide results of the evaluations and there is no information on scores indicating if workers qualify for promotion. 3. Workers who have undergone a performance evaluation do not sign the skill matrix evaluation document. Without the signature, workers may not be aware of the criteria for evaluation and promotions and the procedures followed. 4. For rest of workers from other production processes (circular knitting, dyeing and garmenting), promotion and increment are provided based on verbal recommendation from Industrial engineering team, supervisors and production managers.</p>
Recommendation for Immediate Action	

Compliance Classifications	Sustainable Improvement Required
Local Law	
Benchmark ID	ER.19.1
Benchmark Details	Employers shall maintain on file all documentation needed to demonstrate compliance with the FLA Workplace Code and required laws.
Finding Details	<p>1. For 4 out of 75 sampled workers, the age of workers was verified by factory's doctors 7 to 9 days after the date of hire. Additionally, the date of this doctor examination was not recorded by the doctors for 69 out of 71 sampled workers. 2. As per practice , orientation program is conducted for an hour for new workers prior to confirmation of employment and provision of appointment letter. Employee hand book is provided with appointment letter to workers. Management shared that post confirmation of employment, there is no opportunity to conduct orientation program as workers are engaged with production. The orientation program conducted prior to officially hiring of workers may not be effective as was also noted from information gathered from sampled workers interviewed. 3. Most workers interviewed shared that they did not receive the employee hand book. Management does not maintain documented evidence of distribution of hand books to employees.</p>
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	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.3.3
Benchmark Details	Workers should be provided with written documentation that substantiates all the issues covered in orientation briefings.
Finding Details	Though management stated that workers are provided with handbooks, workers interviewed shared that they did not receive the employee handbook. Management does not maintain documented evidence of distribution of handbooks to employees.
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	Factory does not have written procedures on Freedom of Association and formation of worker committees.
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	1. Factory does not have a separate written policy on environment. There is written policy on waste management however there are no written procedures. 2. Factory does not have written environmental procedures for environmental emergencies, wastewater, air emissions, solid and hazardous waste.
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	Specific responsibilities pertaining to communications (such as communicating with hospitals, police, top management, and local administration) during an emergency are not assigned to any worker in the firefighting team and hence they are not trained.
Recommendation for Immediate Action	
Compliance Classifications	Sustainable Improvement Required
Local Law	
Benchmark ID	HSE.5.3
Benchmark Details	Alarm systems shall be regularly tested and evacuation drills shall be undertaken at least annually.
Finding Details	1. In past 12 months, evacuation drills during night shifts were only conducted between 7.00 pm and 9.00 pm and no drills conducted between 9.00pm until end of shift at 5.00 am where the workers more tired. Additionally, most drills were conducted on announced basis rather than unannounced ones to measure the reaction and remediate the issues. 2. Pictures of drills filed with logs do not include pictures from assembly areas. 3. Logs of evacuation drills conducted do not include information or pictures of children and special categories of workers (Pregnant and disabled) evacuated.
Recommendation for Immediate Action	1. To reduce risks, recommending to factory ensuring fire drills in the night shift are conducted at different timings and alternated with unannounced basis. 2. Ensure pictures of drills filed with logs include pictures from assembly areas. 3. Ensure logs of evacuation drills conducted include information or pictures of children and special categories of workers (Pregnant and disabled) evacuated.

Compliance Classifications	Immediate Action Required
Local Law	Bangladesh Labour Act 2006 (updated in 2015- Chapter VI - Safety Section 62.(8) In factories and establishments wherein 50 (fifty) or more workers/ employees are employed, at least once in every 6 (six) months a mock firefighting shall be arranged and a book of records in this regards shall be maintained in the prescribed manner by the employer.
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	In building # 2, on ground floor, the evacuation directions from the area outside the embroidery section guides towards the exit of the printing section located adjacent to the embroidery section. These instructions guide workers from both sections towards each other which may cause workers to run into each other. This is a risk for injuries in case of an emergency evacuation.
Recommendation for Immediate Action	Ensure evacuation directions are marked accurately to guide workers out safely.
Compliance Classifications	Immediate Action Required
Local Law	Bangladesh Labour Rules 2015- Sixth Chapter Security Rule 54. Adopting cautions regarding the fire incident: (1) Each room of the factory building where more than 20 workers are engaged, there will be at least two exits in that case and these exits should be located in such way so that every person can reach with ease and without interruption from the workplace to the exit.
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 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.5.1.3
Benchmark Details	All applicable, legally required or recommended elements of safe evacuation shall be complied with, including all the following elements: installation and maintenance of emergency lighting
Finding Details	<p>1. High beam industrial lights are missing above exits from Dye preparing room and exit from area in front of embroidery section. 2. Electric bulbs and tube lights used for domestic lighting are used as emergency lights on staircase landings and above exit from sewing floors on 5th floor and cutting section on 3rd floor in building 1, which may not be effective in smoke when there is a fire. 3. Illuminated exit signs above exits are green in color rather than red, as legally required. These green exit signs are located in the following: the sampling section in Building # 2, seamless dye preparation room in building # 3, the 2nd exit from sewing section on 2nd floor in building # 1, the cutting section on 3rd floor in building 1.</p>

<p>Recommendation for Immediate Action</p>	<p>1. Ensure high beam industrial lights are installed above exits from Dye preparing room and exit from area in front of embroidery section. 2. Ensure industrial type of emergency lights are installed on staircase landings and above exit from sewing floors on 5th floor and cutting section on 3rd floor in building 1, so they are effective in smoke when there is a fire. 3. Ensure exit signs above exits from sampling section in Building # 2, seamless dye preparation room in building # 3, 2nd exit from sewing section on 2nd floor in building # 1, Cutting section on 3rd floor in building 1 are in red color as legally required.</p>
<p>Compliance Classifications</p>	<p>Immediate Action Required</p>
<p>Local Law</p>	<p>1. Bangladesh Labor Act 2006 Updated in 2015-CHAPTER VI SAFETY - Section 62. Precaution as to fire - (4) In every establishment, except the exit for ordinary use, every window, door or other exit affording means of escape in case of fire shall be distinctively marked in Bangla letters by red colour or marked by other clearly understood sign. 2. Bangladesh Labour Rules 2015 - Sixth Chapter - Security - 4. Adopting cautions regarding the fire incident (9) There will be proper ventilation and lighting in the staircase so that the staircase won't be dark and the door of the garret can't be closed or locked during the working hours. 3. Bangladesh Labor Act 2006 Updated in 2015-CHAPTER VI SAFETY - Section 62. Precaution as to fire - (4) In every establishment, except the exit for ordinary use, every window, door or other exit affording means of escape in case of fire shall be distinctively marked in Bangla letters by red colour or marked by other clearly understood sign.</p>
<p>Benchmark ID</p>	<p>HSE.5.1.4</p>
<p>Benchmark Details</p>	<p>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</p>

Finding Details	Multiple instances noted in all sewing areas where 2 to 3 workers were sitting at right angles to each other, back to back and adjacent to each other with no or very limited space maintained between work stations to allow free movement. Similar instances were noted on end of line checking stations in sewing sections as well. Final checking stations on sewing floors are congested with products kept on work stations and on the floor besides workers. Such arrangements restricts quick and easy access to passages for evacuation in case of emergency and could be risk for injury during evacuation process.
Recommendation for Immediate Action	Ensure access to passages from workstations is maintained clear at all times.
Compliance Classifications	Immediate Action Required
Local Law	Bangladesh Labour Rules 2015 - Chapter VI - Security- Rule 54. Adopting cautions regarding the fire incident: (1) Each room of the factory building where more than 20 workers are engaged, there will be at least two exits in that case and these exits should be located in such way so that every person can reach with ease and without interruption from the workplace to the exit.
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	There is no proper spill response equipment ready for use at chemical storage areas. The spill response kit provided in central chemical storage is incomplete as the collection tray, protective shoes, broom and eye shield are missing.
Recommendation for Immediate Action	Ensure collection tray, protective shoes, broom and eye shields are provided in spill response kit provided in central chemical storage.
Compliance Classifications	Immediate Action Required

Local Law	Bangladesh Labor Rules 2015 -Chapter VI - Security - 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.
Benchmark ID	HSE.2
Benchmark Details	All documents required to be available to workers and management by applicable laws (e.g. health and safety policies, MSDS, environmental emergency plans) shall be made available in the prescribed manner and in the local language or language spoken by the workers, if different from the local language.
Finding Details	Competency certificate of external persons who inspected 12 compressors, 3 boilers and 4 lifts, is not maintained on site to verify qualification and competency.
Recommendation for Immediate Action	Ensure competency certificate of external persons who inspects compressors and lifts is maintained with report on site.
Compliance Classifications	Immediate Action Required
Local Law	<p>1. Bangladesh Labour Rules 2015 - Section 62. (10) In case of any new vessel, certificate about the maximum approved working pressure from the manufacturer or from any efficient person is must and if vessel or any part of it is tested, in that case, that cannot be used until getting report. (11) The said certificate must be prepared for the inspection of the Inspector and the certified vessel have to be kept in such marked condition , so that it can be identified easily.</p> <p>2. Bangladesh Labour Act 2006 (updated in 2015) CHAPTER VI SAFETY - Section 69. Hoists and lifts. (1) Every hoist and lift in every establishment shall be (c) thoroughly examined by a competent person at least once in every 6 (six) months, and a register shall be maintained containing such particulars, of every examination as may be prescribed by the rules.</p>
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. One towel is provided in toilets for common use by all workers which may not be hygienic. 2. Fire extinguishers and alarms are not provided at all in childcare areas. Fire extinguishers are available near medical room located near the childcare areas.
Recommendation for Immediate Action	1. Ensure hygienic hand drying arrangement is provided in toilets. 2. Ensure fire extinguishers and alarms are provided in childcare areas.
Compliance Classifications	Immediate Action Required
Local Law	1. Bangladesh Labour Act 2006 (updated in 2015) Chapter V - HEALTH AND HYGIENE- Section 59. (d) such toilets and washrooms shall be maintained in a clean and sanitary condition at all times with suitable detergents and disinfectants at employer's cost. 2. Bangladesh Labour Rules 2015 - Sixth Chapter Security - Rule 55. (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.
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	There is no noise reduction canopy installed on power generators used by factory. Although they are stored in separate room that located at a distance from work areas, workers are exposed to some noise continuously when generators are in use. On the other hand, it is observed that the operators of power generator use earmuffs continuously when generators are in operation.

Recommendation for Immediate Action	Ensure noise levels in power generating room are reduced by installing noise reduction covers.
Compliance Classifications	Immediate Action Required
Local Law	Bangladesh Labor Rules 2015 -Chapter VI - Security - 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.
Benchmark ID	HSE.14.1
Benchmark Details	All production machinery, equipment and tools shall be properly guarded and regularly maintained.
Finding Details	<p>1. Factory does not have a system in place to periodically inspect factory owned vehicles. Breakdowns are addressed on a needs basis. Factory does not inspect external vehicles that enter the factory to ensure ability to drive safely. 2. Traffic lanes and walk paths are not marked inside the factory. Speed breakers and convex mirrors are not installed at blind turns. 3. Needle guards on approx. 95% of sewing machines are pushed upwards rendering them ineffective in preventing injury to finger of machine operators. 4. Auto stop sensors are not provided on one side of all 4 auto dyers used on printing tables. These moving dryers do not stop automatically when they come in contact with any obstruction. This could be a risk of injury to workers who stand along the length of table and work. 5. Adequate number of Lock out/Tag out arrangement is not provided for use. Two of three available locks are used to cover nozzles of 2 gas cylinders and only 1 is available for use for all other maintenance work. From inspection of the equipment available, it appeared these are not used at all. There were no Tags available with locks and maintenance worker in charge was not aware of its use.</p>

<p>Recommendation for Immediate Action</p>	<p>1. Ensure vehicles are periodically inspected to ensure ability to drive safely. 2. Ensure traffic lanes and walk paths are marked inside the factory and speed breakers and convex mirrors are installed at blind turns. 3. Ensure needle guards on sewing machines are maintained in place to effectively prevent injury to finger of machine operators. 4. Ensure auto stop sensors are provided on both sides of all auto dyers used on printing tables to stop automatically when they come in contact with any obstruction. 5. Ensure adequate number of Lock Out /Tag out arrangements are provided for use for all maintenance work and maintenance worker in charge is adequately trained on its use.</p>
<p>Compliance Classifications</p>	<p>Immediate Action Required</p>
<p>Local Law</p>	<p>Bangladesh Labor Rules 2015 -Chapter VI - Security - 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.</p>
<p>Benchmark ID</p>	<p>HSE.6.1</p>
<p>Benchmark Details</p>	<p>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.</p>
<p>Finding Details</p>	<p>1. There are only 91 helmets, 162 gas masks, 110 pairs of hand gloves, 48 pairs of shoes and 2 fire suits provided although there are 388 fire fighters and 384 fire rescuers. Eye shields are not provided at all. 2. Eye wash station is not provided in central chemical storage room located in shed no. 5.</p>
<p>Recommendation for Immediate Action</p>	<p>1. Ensure adequate PPE is provided to the fire team. 2. Ensure eye wash station is provided in central chemical storage room located in shed no. 5.</p>
<p>Compliance Classifications</p>	<p>Immediate Action Required</p>

Local Law	<p>1. Bangladesh Labour Act 2006 (updated in 2015) Chapter VI - Safety - Section 78A - Requirements to use personal safety equipment.(1) No authority shall engage any worker in work without providing him with personal safety equipment and ensuring uses thereof and a record book shall be maintained in this behalf by the employer in the prescribed manner. 2. Bangladesh Labor Rules 2015 -Chapter VI - Security - 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.</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	<p>1. The load capacity is not marked on storage racks used for storing fabric, finished goods and accessories to avoid overloading which could result in accidents. 2. Workers in printing section were using a metal rod with bare hands to operate electric switches of portable moving electric dryers used on printing tables. This method poses a risk of electric shocks for workers. 3. Vehicle movement alarm is not installed on forklift vehicle to warn workers when in use. 4. Edges of metal cover on underground confined spaces located on walkways are sharp and may injure human traffic. 5. Stains from oil spills were seen on floors at entrance of boiler room. Spill tray is not placed under pump used to transfer oil from barrels to tanks.</p>
Recommendation for Immediate Action	<p>1. Ensure load capacity is marked on storage racks used for storing fabric, finished goods and accessories, to avoid overloading resulting in possible accidents. 2. Ensure safe arrangement is provided for workers in printing section to operate electric switches of portable moving electric dryers used on printing tables. 3. Ensure vehicle movement alarm is installed on forklift vehicle to warn workers when in use. 4. Ensure edges of metal cover on underground confines spaces located on walkways are covered to avoid injury to human traffic. 5. Ensure appropriate arrangement is made to collect oil spills when oil is transferred from oil barrels to tanks outside the boiler room.</p>
Compliance Classifications	Immediate Action Required

Local Law	Bangladesh Labor Rules 2015 -Chapter VI - Security - 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.
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	Factory does not provide any safety instructions to external contractors used for maintenance / civil works.
Recommendation for Immediate Action	Ensure safety instructions are provided to external contractors used for maintenance / civil works.
Compliance Classifications	Immediate Action Required
Local Law	Bangladesh Labor Rules 2015 -Chapter VI - Security - 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.
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	There are no safety instructions displayed on machinery used in the factory.
Recommendation for Immediate Action	Ensure safety instructions are displayed on all machinery that are used in the factory in the local language of workers.

Compliance Classifications	Immediate Action Required
Local Law	Bangladesh Labor Rules 2015 -Chapter VI - Security - 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.
Benchmark ID	HSE.20
Benchmark Details	Employers shall establish the number of toilets required under applicable laws within reasonable distance of the workplace. In addition, the following should also be considered: number of toilets based on number of workers, privacy for each individual and gender, accessibility and hygiene.
Finding Details	Height of doors on few individual stalls in male toilets was low and does not provide adequate privacy.
Recommendation for Immediate Action	Ensure height of doors on individual stall in male toilets provides adequate privacy.
Compliance Classifications	Immediate Action Required
Local Law	
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	1. Entry to confined spaces are covered with metal covers however the areas are not marked and fenced to warn workers. 2. Factory does not monitor cleaning process of confined spaces (water tanks) to ensure safety to persons entering the spaces. 3. Maintenance equipment like grinding machines, electric soldering rods, electric power drilling machines and tools used by maintenance team and electricians are not inspected periodically to ensure safe usage.

<p>Recommendation for Immediate Action</p>	<p>1. Ensure confined spaces are marked and fenced to warn workers. 2. Ensure cleaning process of confined spaces (water tanks) is monitored and documented to ensure safety to persons entering the spaces. 3. Ensure maintenance equipment like grinding machines, electric soldering rods, electric power drilling machines and tools used by maintenance team and electricians are inspected periodically to ensure safe usage.</p>
<p>Compliance Classifications</p>	<p>Immediate Action Required</p>
<p>Local Law</p>	<p>1. Bangladesh Labour Act 2006 (updated in 2015) CHAPTER VI SAFETY - Section - 73 - Pits, sumps, tunnel mouths, etc. □ Where in an establishment any fixed vessel, sump, tank, pit or tunnel in such that, by reason of its depth, situation, construction or contents, it may be a source of danger, it shall be either securely covered or fenced. 2. Bangladesh Labour Act 2006 (updated in 2015) Chapter VI - Safety - Section 78A - Requirements to use personal safety equipments. □ (1) No authority shall engage any worker in work without providing him with personal safety equipment and ensuring uses thereof and a record book shall be maintained in this behalf by the employer in the prescribed manner. 3. Bangladesh Labor Rules 2015 -Chapter VI - Security - 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.</p>
<p>Benchmark ID</p>	<p>HSE.17.2</p>
<p>Benchmark Details</p>	<p>Employers shall train workers in proper lifting techniques, and items such as lifting belts shall be provided.</p>
<p>Finding Details</p>	<p>In past 12 months, training on ergonomics and on lifting weights was provided to 22 out of 4767 workers. Factory has plans to train all workers, however the training calendar does not provide information to ensure training for all workers once at least in a 12 month period.</p>
<p>Recommendation for Immediate Action</p>	

Compliance Classifications	Sustainable Improvement Required
Local Law	
Benchmark ID	HSE.30.3
Benchmark Details	Environmental policies shall include procedures to minimize environmental impacts with respect to energy, air emissions, water, waste, hazardous materials, and other significant environmental risks.
Finding Details	Environmental protection policy does not include a statement of the factory management's general support of energy and water efficiency, and a commitment to minimize impacts with respect to air emissions, waste, hazardous materials and other applicable environmental risks.
Recommendation for Immediate Action	
Compliance Classifications	Sustainable Improvement Required
Local Law	
Benchmark ID	HSE.5.4
Benchmark Details	The emergency evacuation plan (EEP) includes procedures for notifying local community authorities in case of accidental discharge or release of chemical/waste products or any other environmental emergency.
Finding Details	Emergency response plan does not include gas emergencies such as a gas leak.
Recommendation for Immediate Action	Ensure emergency response plan includes gas emergencies such as a gas leak.
Compliance Classifications	Immediate Action Required

Local Law	Bangladesh Labor Rules 2015 -Chapter VI - Security - Section 67-3) No worker can be employed in the relevant works without ensuring safety and health protection measures and the training related therewith. In addition, personal safety equipment must be preserved in accordance with Information Form-23
Benchmark ID	HSE.30.2.6
Benchmark Details	The health, safety, and environmental policies shall contain the framework for a comprehensive health, safety, and environmental management system including a HS&E risk assessment within which the following are clear and regularly tested and reviewed:protections to workers who allege health, safety, and environmental violations;
Finding Details	Risk assessment conducted by factory does not include information on the (i) nature of job performed in the department (ii) number of persons working who could be impacted (iii) possible work place injury/ accidents (iv) frequency of possible accident / injury (v) engineering and administrative controls that will be implemented to reduce risks. Additionally, the total risk is calculated based on severity and possibility, however frequency was not considered.
Recommendation for Immediate Action	
Compliance Classifications	Sustainable Improvement Required
Local Law	
Benchmark ID	HSE.30.2
Benchmark Details	The health, safety, and environmental policies shall contain the framework for a comprehensive health, safety, and environmental management system within which the following are clear and regularly tested and reviewed; procedures for reporting death, injury, illness and other health and safety issues (for instance, near-miss accidents) and environmental emergencies
Finding Details	Factory tracks all accidents and injuries however does not investigate in an attempt to identify root causes.

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	1. Safety shoes that used by one boiler operator was damaged and another operator was not using any safety shoes while working. 2. Factory does not have a system in place for periodic inspection of fall protection equipment such as helmets and safety ropes. There was no inspection conducted for those equipment at all. 3. Eye shield was not provided to 6 out of 6 snap button machine operators. These machines were being operated while exposing risk of eyes injury to the operators.
Recommendation for Immediate Action	1. Ensure boiler operators use proper safety shoe that is in good condition to prevent injuries. 2. Ensure a system is in place for periodic inspection of fall protection equipment like helmets and safety ropes. 3. Ensure eye shield is provided and used by all 6 snap button machine operators to reduce risk of eyes injury.
Compliance Classifications	Immediate Action Required

Local Law	<p>1. Bangladesh Labour Act 2006 (updated in 2015) Chapter VI - Safety - Section 78A - Requirements to use personal safety equipment. (1) No authority shall engage any worker in work without providing him with personal safety equipment and ensuring uses thereof and a record book shall be maintained in this behalf by the employer in the prescribed manner. 2. Bangladesh Labor Rules 2015 -Chapter VI - Security - 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.</p>
Benchmark ID	HSE.8
Benchmark Details	<p>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.</p>
Finding Details	<p>1. One cutting machine operator was seen operating portable cutting machine without use of mesh hand gloves and chemical handler was wearing open shoes instead of using closed shoes. 2. Maintenance in charge and 3 maintenance persons were not using safety shoes. 3. Fork lift vehicle operator was not using helmet and safety shoes when operating the vehicle. 4. In the past 12-month training on PPE was only provided to 298 workers instead all workers (4767). Factory has plans to train all workers however training calendar does not provide information on number of workers that will be covered in each training session to ensure training is conducted for all workers on annual basis.</p>
Recommendation for Immediate Action	<p>1. Ensure cutting machine operators use mesh hand gloves when operating machines and chemical handler uses closed shoes. 2. Ensure maintenance in charge and all maintenance persons use safety shoes at work. 3. Ensure forklift vehicle operator uses helmet and safety shoes when operating the vehicle. 4. Ensure 100 % of workers are trained on use of PPE.</p>
Compliance Classifications	Immediate Action Required

Local Law	Bangladesh Labour Act 2006 (updated in 2015) Chapter VI - Safety - Section 78A - Requirements to use personal safety equipment. (1) No authority shall engage any worker in work without providing him with personal safety equipment and ensuring uses thereof and a record book shall be maintained in this behalf by the employer in the prescribed manner.
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	1. In past 12-months, training was provided to 923 out of 2380 machine operators. Factory has plans to train all workers' however the training calendar does not provide information to ensure training for all workers once at least in a 12-month period. Training is not provided at all to workers operating vehicles. 2. Training on high-risk areas like confined spaces is not provided at all.
Recommendation for Immediate Action	1. Ensure 100% of machine and vehicle operators are trained in safe operational practices. 2. Ensure training is provided to workers on high-risk areas.
Compliance Classifications	Immediate Action Required
Local Law	Bangladesh Labor Rules 2015 -Chapter VI - Security - 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.
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. Anti-fatigue mats are not provided to workers with standing jobs in cutting section, Embroidery section and few workers in checking section. 2. Work stations are not adjustable in height to suit height of workers. 3. Chairs with back rest is not provided to workers in fusing section. These workers were sitting on hard stools which may cause bodily injury.
Recommendation for Immediate Action	1. Ensure anti-fatigue mats are provided to all workers with standing jobs in Cutting section, Embroidery section and in checking section. 2. Ensure workstations are adjustable in height to suit height of workers. 3. Ensure chairs with back rest is provided to workers in fusing section.
Compliance Classifications	Immediate Action Required
Local Law	Bangladesh Labor Rules 2015 -Chapter VI - Security - 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.

Hours Of Work (HOW)

Benchmark ID	HOW.8.2
Benchmark Details	All overtime work shall be consensual, and employers shall enact a voluntary overtime system, including for overtime utilized in exceptional circumstances*.
Finding Details	1. Factory does not obtain written consent from workers prior to working overtime on a daily basis. Based on workers' interview, factory has informed that overtime is based on voluntary; and if the workers disagree, they can refuse to work overtime. But if they agree, there is no written consent requested by factory prior to working overtime. 2. Consent from female workers working in printing section to work on night shifts (10.00 pm to 6.00 am) is obtained once in 2 months instead of obtaining on a monthly basis as legally required.

Recommendation for Immediate Action	1. Ensure written consent is obtained from workers prior to working overtime. 2. Ensure written consent is obtained on a monthly basis from female workers in printing section that are employed in night shifts.
Compliance Classifications	Immediate Action Required
Local Law	<p>1. Bangladesh Labor Rules 2015- Rule 99 - Daily working hours: Irrespective of whatever is there in other rules and regulations, the daily working hours of all adult workers shall be 8 (eight) hours, excluding the time for having meals and the break period. However, as per the regulation of Section 108, the workers can be made to work for maximum 10 hours on the condition of giving remuneration for overtime hours. In addition, in that case, the worker's consent has to be gained and he/she has to be informed minimum two hours before the commencement of overtime works.</p> <p>2. Bangladesh Labour Rules 2015 - Chapter Nine - Working Hours and Leave - Rule 103 - Working hours of female workers: 1) Written consent of the female worker as per Form-35 has to be obtained if she is to work from 10:00 PM (22:00 hours) to 06:00 AM (06:00 hours). 2) The consent of the female worker, which is mentioned in Sub-section (1), shall remain valid for 12 (twelve) months if she does not withdraw the same. 3) In case of withdrawing/revoking the consent, the female worker shall apply according to the Form-35 (a). 4) The data about the night duty of female workers has to be preserved in Registers in accordance with Form-36. Amendment Labor Rules 2015 published 1st September 2022, Point 2 - consent shall be obtained every month.</p>
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	Factory does not have written procedures on hours of work.
Recommendation for Immediate Action	
Compliance Classifications	Sustainable Improvement Required

Local Law	
Benchmark ID	HOW.20
Benchmark Details	Employers shall have in place practices that conduct regular analysis of hours of work in their workplaces and procedures that demonstrate a commitment to progressively reducing excessive hours of work.
Finding Details	The factory does not conduct a regular analysis of hours of work in their workplaces and procedures to reduce excessive hours of work. Currently, production is planned for 11 hours of work per day which includes 3 hours of overtime every day of the month.
Recommendation for Immediate Action	Ensure production is planned for regular hours of work and does not include overtime hours.
Compliance Classifications	Immediate Action Required
Local Law	
Benchmark ID	HOW.3
Benchmark Details	Employers shall provide reasonable meal and rest breaks, which, at a minimum, must comply with national laws.
Finding Details	Besides lunch break, there is no another break provided for workers who performed overtime work. Due to production requirements, workers need to finish work up to 8 or 9 pm (inclusive of 3 or 4 overtime hours) on regular basis. Lunch break usually ends at 2.00 pm or 2.30 pm, and no break or rest is provided until end of overtime work. In total, workers were working overtime continuously for 5.5 to 7 hours without rest.
Recommendation for Immediate Action	Ensure workers are provided rests as legally required.
Compliance Classifications	Immediate Action Required

Local Law	Bangladesh Labour Act 2006 (updated in 2015) - CHAPTER IX WORKING HOUR AND LEAVE - Section 101. Interval for rest or meal. In an establishment no worker shall be liable to (a) work for more than 6 (six) hours in a day, unless he is given an interval of 1 (one) hour for rest or meal during that day; (b) work for more than 5 (five) hours in a day, unless he is given an interval of half an hour for the said purpose during that day.
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	As a systematic practice workers work overtime for 3 hours every day. Hence overtime requirements are not communicated on daily basis.
Recommendation for Immediate Action	Ensure overtime requirements are communicated on a daily basis.
Compliance Classifications	Immediate Action Required
Local Law	Bangladesh Labor Rules 2015- Rule 99.
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	100% of sampled workers from all production processes worked 60 to 70 hours in all weeks in the months of June 2023 and September 2022.
Recommendation for Immediate Action	Ensure workers do not work beyond 60 hours a week.
Compliance Classifications	Immediate Action Required

Local Law

Bangladesh Labour Act 2006 (updated in 2015) - CHAPTER IX - WORKING HOUR AND LEAVE - Section 102 - Weekly working hours.

(1) No adult worker shall ordinarily work or be required to work in an establishment for more than 48 (forty-eight) hours in a week.

(2) Subject to the provisions of section 108, an adult worker may work for more than 48 (forty-eight) hours also 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:

x