

# Fair Labor Association: Independent External Factory Assessment

Assessment Date :

**24 Jul 2023**



## Factory Information

FLA Affiliates	FLA Audits (Not a test member,KMD Brands,Patagonia,Volcom, LLC.
Country	Thailand
Number of Workers	1929

## Understanding this Report

Companies that join the FLA agree to uphold the FLA Workplace Code of Conduct throughout their entire supply chain. The Code of Conduct is based on International Labour Organization (ILO) standards, and defines labor standards that aim to achieve decent and humane working conditions.

## FLA Code Element

## Number of Violations

Employment Relationship (ER)	2
Health, Safety And Environment (HSE)	4
Hours Of Work (HOW)	1
Nondiscrimination (ND)	1

## Assessment Information

Assessor	SCSA
Assessment Date	24 Jul 2023
Assessment Purpose	Factory Assessment (In-Person)



## ASSESSMENT RESULTS

### Employment Relationship (ER)

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, and hours of work.
Recommendation for Immediate Action	
Compliance Classifications	Sustainable Improvement Required
Local Law	
Benchmark ID	ER.16.3
Benchmark Details	Where temporary or permanent layoffs are unavoidable, a plan should be developed and implemented that mitigates the adverse effects of such changes on workers and their communities.
Finding Details	The factory does not have policies and procedure in place in the cases of unavoidable layoffs. The factory does not develop and communicate to the workers a plan that mitigates the adverse effects of layoffs.
Recommendation for Immediate Action	

Compliance Classifications	Sustainable Improvement Required
Local Law	
<b>Health, Safety And Environment (HSE)</b>	
Benchmark ID	HSE.14.1
Benchmark Details	All production machinery, equipment and tools shall be properly guarded and regularly maintained.
Finding Details	(1) The moving parts of 2 out of 2 mixing machines used at glue mixing rooms in S-Seal and BLB buildings are not equipped with safety guards. (2) An observed 90% of the needle guards installed on single needle sewing machines (on the 2nd floor, NDS section) were adjusted in an improper position. The immediate corrective action was taken during the audit.
Recommendation for Immediate Action	(1) The moving part of 2 out of 2 mixing machines used at glue mixing rooms in S-Seal and BLB buildings should be equipped with proper safety guards. (2) The needle guards installed on single needle sewing machines should be in the proper position.
Compliance Classifications	Immediate Action Required
Local Law	The Labor Ministerial regulation, Re. Criteria on administration and management of occupational health & safety and work environment conditions related to machinery, cranes and boilers. B.E. 2564, section 15: The employer shall provide the method of operation to prevent danger to the employees from machinery. Section 16, the employer must maintain and keep all protective guards in good working condition.
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 box-making building consists of the carton production area and the carton and materials storage area, however the factory has only installed automatic fire extinguisher (sprinkler) system in half of the building. The automatic fire extinguisher system does not cover the carton production area. The total area of building is 3,000 m2. As per safety officer interview and safety plan review, the factory had planned to install fire sprinkler system in this area and the project is expected to be completed by end of 2023.
Recommendation for Immediate Action	Ensure the automatic fire extinguisher (sprinkler) system covers the entire box-making building, including the carton production area.
Compliance Classifications	Immediate Action Required
Local Law	The Notification of Ministry of Industry Re. Fire prevention and protection in the factory B.E. 2552, section 12: A factory which store materials or products which are combustible and the contained area is 1,000 square meters or more, must install an automatic fire extinguishing system such as an Automatic Sprinkler System or some other equivalent coverage to that area.
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) Four areas are defined as confined spaces in the factory. However, no "Confined Space", "Danger", "Do not Enter" sign was posted at the manhole or area above water storage tanks. The factory had posted signage above the manhole in the label stock building but they have still not posted the sign at the other confined space areas. (2) The safety officer who is responsible for granting permission to contractors to work in the confined space is not trained as per legal requirement.
Recommendation for Immediate Action	1) Ensure that proper signage such as signs reading "Confined Space", "Danger", or "Do not Enter" are posted at those four areas which are defined as confine space such as the manhole or area of above water storage tanks. 2) Th safety officer should undergo the confined space training as per legal requirement.

Compliance Classifications	Immediate Action Required
Local Law	<p>1) The Ministerial Regulation on the Standard for Administration and Management of Occupational Safety, Health and Environment in Confined Space B.E. 2562 (2019) Clause 17. The employer shall be the person who is responsible for granting permission to employees. The employer shall make a signboard with the text inscribing "Confined space, Danger, Do not Enter". The signboard shall be in conspicuous size and installed openly at the entrance and exit of every confined space. The employer shall have control measures for safety regards opening the entrance and exit, and the sign must also be posted to inform the said message. 2) The Ministerial Regulation on the Standard for Administration and Management of Occupational Safety, Health and Environment in Confined Space B.E. 2562 (2019) Clause 17. The employer shall be the person who is responsible for granting permission to employees to work in the confined space. In this regard, the employer may authorize in writing employee or employees who have trained on occupational safety in the confined space pursuant to Clause 20 as necessary to be the person responsible for granting permission on his/her behalf.</p>
Benchmark ID	HSE.16
Benchmark Details	Workers shall not suffer any negative consequences for refusing to work with machinery, equipment or tools that are not properly guarded or reasonably considered unsafe.
Finding Details	The factory does not have a policy on workers' right to refuse to work with machinery, equipment or tools that are not properly guarded or reasonably considered unsafe. From interviews with safety officers, workers could inform safety officers or their supervisor if they found unsafe conditions in the work place.
Recommendation for Immediate Action	
Compliance Classifications	Sustainable Improvement Required
Local Law	

## Hours Of Work (HOW)

Benchmark ID	HOW.21
Benchmark Details	Other than in exceptional circumstances, the total weekly work hours (regular work hours plus overtime including any alternative shifts such as 4x4 or 3x3) shall not exceed 60 hours per week.
Finding Details	From a sample of 54 workers, 1 worker worked more than 60 hours per week (61 hours per week) in October 2022.
Recommendation for Immediate Action	The factory shall maintain working hours to not exceed 60 hours per week.
Compliance Classifications	Immediate Action Required
Local Law	

## Nondiscrimination (ND)

Benchmark ID	ND.12
Benchmark Details	Employers shall take measures to reasonably accommodate workers with (chronic) illnesses, including HIV/AIDS-related illnesses, which could include rearrangement of working time, the provision of special equipment, opportunities for rest breaks, time-off for medical appointments, flexible sick leave, part-time work and return-to-work arrangements.
Finding Details	The factory has no measures or systems in place to accommodate workers with chronic illnesses.
Recommendation for Immediate Action	
Compliance Classifications	Sustainable Improvement Required
Local Law	

